

1. Connecticut's rate (68.9) was inadvertently copied as the Massachusetts rate, when Massachusetts has a lower rate (67.6), an error against our own side, which, however, does not affect any other figure in the table or any conclusion to be drawn from it.

2. Again, we misplaced two dead infants, mistaking a 3 for a 5 in Illinois and an 8 for a 6 in Massachusetts, thus placing, in error, two Massachusetts infant deaths in Illinois, but not otherwise affecting the table or any conclusions to be drawn from it.

On the other hand, Senator SHEPPARD, July 1, 1926 (permanent RECORD, 12518), introduced a statement and table, prepared by a "careful student" of the bill, whose name is not disclosed, which, while purporting to correct the former table, introduced by Senator BINGHAM, June 15 (in which two dead infants were misplaced, as noted), resurveys 10 dead infants.

Since neither the Census Bureau, the Children's Bureau, nor Senator SHEPPARD's "careful student" can restore infants to life, it is self-evident that the "careful student" in giving Illinois 9,734 infant deaths, when the census preliminary report shows 9,743, transposed "43" into "34," and in giving Connecticut 2,180 infant deaths, when 2,181 were reported by the Census Bureau, makes another copyist's error.

Mr. BLEASE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from South Carolina?

Mr. BAYARD. I yield.

Mr. BLEASE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bayard	Gillett	McNary	Sackett
Bingham	Harris	Metcalf	Sheppard
Blaise	Harrison	Neely	Shipstead
Bratton	Hawes	Norris	Steck
Broussard	Heflin	Nye	Stewart
Bruce	Jones, Wash.	Oddie	Wadsworth
Capper	Kendrick	Overman	Walsh, Mass.
Caraway	Keyes	Philpotts	Warren
Copeland	La Follette	Pittman	Wheeler
Curtis	Lenroot	Ransdell	Willis
Ferris	McKellar	Reed, Mo.	
Fess	McMaster	Robinson, Ind.	

Mr. McKELLAR. I desire to announce that my colleague, the junior Senator from Tennessee [Mr. TYSON], is necessarily absent on official business.

Mr. CURTIS. I desire to announce that the Senator from Illinois [Mr. DENEEN], the Senator from West Virginia [Mr. GOFF], the Senator from California [Mr. SHORTIDGE], the Senator from Utah [Mr. KING], and the Senator from Georgia [Mr. GEORGE] are detained in attendance on a committee meeting.

The PRESIDING OFFICER. Forty-six Senators having answered to their names, a quorum is not present.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and the Senate (at 4 o'clock p. m.) adjourned until Monday, January 10, 1927, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

SATURDAY, January 8, 1927

The House met at 12 o'clock noon.

The Rev. William W. Shearer, rector of St. Columbia's Episcopal Church, Washington, D. C., offered the following prayer:

O Almighty God, who through the revelation of Thine only begotten son, Jesus Christ, has caused the blessed light of the gospel to shine throughout the world, we beseech Thee for this great body of legislators upon whom responsibilities, both national and international, do rest. Do Thou grant to each Member, in his respective sphere of service, such a measure of the light divine that he may both perceive and know what things he ought to do, and may have grace and power faithfully to fulfill the same. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

RIVERS AND HARBORS

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 11616, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table House bill 11616, the river and harbor bill, disagree to the Senate amend-

ments and ask for a conference. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MAPES. Mr. Speaker, reserving the right to object, of course, as the gentleman from New York knows, the Committee on Rules this morning has given him a rule to do what he has asked unanimous consent to do. This bill authorizes more improvements and appropriations probably than any other river and harbor bill that has ever before passed the Congress. It contained, as it passed the House of Representatives, according to the Senate committee report, authorizations for river and harbor improvements amounting to something over \$83,000,000. The Senate Committee on Commerce reported amendments totaling something over \$13,000,000 additional. The Senate during the consideration of the bill added on the floor of the Senate, according to the minimum estimate which I have received, something over \$13,000,000 more, making a grand total of approximately \$110,000,000.

To be sure, the Senate committee put on a mongrel limitation to the Missouri River item, but as was brought out in the discussion of the amendment on the floor of the Senate and practically agreed to by the proponents of the legislation, the \$12,000,000 authorized to be expended on the Missouri River would be an idle expenditure unless the whole improvement is eventually made, and the engineers' minimum estimate of the expense of that improvement is something like \$50,000,000. So it can fairly be said that the bill, instead of making an authorization of \$70,000,000, as some have stated, makes an authorization of \$110,000,000. At one fell swoop the Congress spoils the good effects of its entire economy program.

Further, Mr. Speaker, my office tried several times during the recess of Congress, and it has tried every day this week, to get from the document room the reports of the engineers upon which the amendments of the Senate are based. It has from day to day been able occasionally to get 1 report; yesterday it was able to get 1 report, but of the 17 reports in all there are still 8 unavailable, or were unavailable yesterday, in the document room, so that the membership of the House has not had an opportunity to examine the reports of the engineers upon which the amendments put on in the Senate are based.

I realize that this bill will go to conference, if not by unanimous consent, then by the adoption of the rule, but before giving my consent to its going to conference by unanimous consent I would like to ask the chairman of the committee if it would be his disposition when the conference report is returned to give the membership of the House liberal opportunity to discuss the amendments and the report of the conferees?

Mr. DEMPSEY. Will the gentleman tell me what he would regard as a liberal opportunity and reasonable time? In other words, I do not want to have a misunderstanding when we come back, and that is the purpose of the question. Would two hours be sufficient?

Mr. MAPES. It would be ample, so far as I am concerned.

Mr. DEMPSEY. Then I will say to the gentleman that I will be glad to ask for two hours' discussion of the amendments.

Mr. BURTON. Two hours on a side.

Mr. MAPES. The gentleman from Ohio [Mr. BURTON], who is an authority on river and harbor legislation, suggests that there ought to be two hours on a side, two hours for those in favor of the amendments and two hours for those opposed.

Mr. DEMPSEY. That is a very long time, and it seems to me we ought to be able to make it a little less. That would take substantially a day.

Mr. CRAMTON. Of course, if those in favor of the report do not care to use the two hours, that would be up to them, but for those opposed two hours is not too long a time.

Mr. DEMPSEY. All right; I will agree to accept the suggestion that the discussion be not to exceed two hours on a side.

Mr. MAPES. So far as I am individually concerned, I should say that would be ample. I would like to ask the gentleman from New York this further question. Of course, if there is substantial opposition to any legislation by the membership of the House it is impracticable and not feasible for all of the Members to express themselves in debate on the floor of the House and some Members of the House are concerned about having an opportunity to have a yea-and-nay vote on the conference report. Would the gentleman from New York be willing to agree that the conference report be voted upon by a yea-and-nay vote?

Mr. DEMPSEY. Of course, I would have no right to bind the House as to what its action should be, but, so far as I am concerned, I am prepared to state that when the conference report comes up I would be glad to see a yea-and-nay vote.

Mr. GARRETT of Tennessee. Mr. Speaker, may I say to the gentleman that I have no objection at all, so far as I am concerned, to a roll call on the matter, but I do not regard even an intimation of a condition of that sort as having any proper place in an agreement on the matter of going to conference. The question of a roll call is always within the determination of the House. It is not a matter that a chairman or anyone else should be required to agree to, and I hope the gentleman will not press that request. I may say to the gentleman that, so far as I am concerned, I have no objection to a roll call, but to set the precedent here of making it a condition precedent that there shall be a roll call on a conference report before permitting it to go to conference is bad practice and the House ought not to be bound up in that way. The House, as a whole, is usually inclined to follow gentlemen when they make agreements of this sort, and I simply insist this is not a proper practice.

Mr. DEMPSEY. If the gentleman from Michigan will permit, I tried to make it plain that I recognize the fact that it is not a proper agreement for the House, and only so far as the chairman is concerned does he make the statement that he has no objection and will himself place no obstacles in the way of a roll call.

Mr. GARRETT of Tennessee. I understood the gentleman perfectly and I think he made a correct statement, but in view of the fact that the request is made in the presence of the House, all of us here present might be regarded as having bound ourselves by acquiescence and I simply suggest to the gentleman from Michigan that that is not a good practice.

Mr. HASTINGS. And the gentleman can get a roll call upon the request of one-fifth of the Members.

Mr. MAPES. Mr. Speaker, I realize the strength of the influence of the gentleman from Tennessee, the Democratic leader, and I should dislike to feel that he was going to lend his influence against having a roll call upon this conference report. I will state to the gentleman from Tennessee it has never seemed very consistent to me, when I was opposed to legislation, to sit quietly in my seat and allow a unanimous-consent request to go through which would advance the consideration of such legislation. This matter has been discussed—

Mr. GARRETT of Tennessee. Will the gentleman permit, before he goes further?

Mr. MAPES. Yes.

Mr. GARRETT of Tennessee. I did not say anything about trying to discourage a roll call. I hope the gentleman will not place me in any situation of that kind. I expressly stated I had no objection to the roll call. So far as I am concerned I shall do nothing to prevent a roll call, but I do not want to bind myself by acquiescence to the proposition that I will try to get out and hustle up one or anything of that sort. It is not a proper condition. The gentleman has his parliamentary rights.

Mr. MAPES. And the gentleman from Michigan is not asking the gentleman from Tennessee to do that, but the mere statement of the gentleman from Tennessee here will have a great influence upon the membership of the House in refusing to assist in securing a roll call and there are a great many people interested in this legislation, with some of whom I have discussed the matter, that are anxious that reasonable assurance be given that they will receive assistance toward getting a roll call.

Mr. GARNER of Texas. Will the gentleman yield for a question?

Mr. MAPES. Yes.

Mr. GARNER of Texas. It only takes one-fifth of the House to get a roll call. If the gentleman and the others who might have the same views that the gentleman has should not be able to muster one-fifth of the House, could you not at least use an hour or any part of the two hours that might be necessary and all of you go on record as against the bill? In that way you would accomplish the same purpose. If you have not one-fifth of the House, you can, at least, get enough time for each one of you to go on record.

Mr. MAPES. It is quite impracticable for every man to express himself on the floor of the House in debate, and some of them feel that they should be permitted to express themselves on the roll call.

Mr. CRAMTON. If the gentleman will permit, in connection with what the gentleman from Tennessee has said with reference to this being a bad practice, hard cases make hard law, perhaps, and that may apply to the procedure in the House. The House is facing a rather unusual situation. The bill that is before us is a bill of unusual importance, as has been suggested.

In the judgment of some of us, this bill wipes out the whole savings of the session in other directions and, furthermore, this bill going to conference does not go to conference as the ordinary bill goes to conference. When the ordinary bill goes to conference those opposed to Senate amendments have the right to expect that the House conferees are going to seek to support the position of the House in conference, and have the right to have some hope that the objectionable provisions put in by the Senate may be eliminated in conference; but as to this bill, the Members of the House have what almost amounts to knowledge that this bill goes to only a perfunctory conference. We have practically certain knowledge that the bill will come out of conference in the same form that it goes to conference, and that everything put in by the Senate, however objectionable it may be, will be accepted by the House conferees.

Having this knowledge, some of us hesitate to sit here quietly in our seats and be recorded as, in effect, voting yes through a unanimous-consent request to send the bill to conference unless we can know that at some stage of the proceedings there will be a roll call that will definitely record us in the way that we want to be recorded. This being true, I do not feel it is bad practice for the gentleman from Michigan [Mr. MAPES] to make the request he has made but simply a reasonable attempt to protect those who are associated with him in the views he holds.

Mr. DEMPSEY. Will the gentleman yield to me for a moment?

Mr. MAPES. I yield.

Mr. DEMPSEY. I said in the first instance and immediately, before any of the other discussion was had, that so far as the chairman was concerned he not only had no objection to a record vote but would be willing to and would state that he desired a record vote; but he did make it plain that he was not binding the House, and that was the only way he qualified it, making it plain that he had no right to bind the House.

Mr. BLANTON. Will the gentleman from Michigan yield for a question?

Mr. MAPES. I yield to the gentleman.

Mr. BLANTON. In view of the fact that this bill now contains \$110,000,000 approximately and that approximately \$27,000,000 was added in the Senate and that even when it went to the Senate from the House it embraced such items as a \$10,000,000 Cape Cod reimbursement, does not the gentleman think his request upon the gentleman from New York that we have at least two hours' discussion of those items, which would mean approximately one minute to the million, is not unreasonable? I hope the gentleman will insist on his rights in having a two hours' discussion by those against the item.

Mr. SNELL. Will the gentleman yield?

Mr. BLANTON. I have not the floor.

Mr. SNELL. Where does the gentleman get his \$110,000,000 in the bill at the present time? I understand it is only \$71,000,000.

Mr. BLANTON. It had \$83,000,000 when it left the House, and the Senate Committee on Commerce added \$13,000,000, and the Senate added another \$13,000,000.

Mr. SNELL. But they took out so much that it is now, as I understand, only \$71,000,000.

Mr. MAPES. Mr. Speaker, I understand I have the floor. The gentleman from New York apparently did not hear my opening statement that there is a mongrel limitation to the Missouri River item of \$12,000,000. The discussion on the floor of the Senate brought out the fact, however, and it was in substance agreed to by the proponents of the legislation that the expenditure of \$12,000,000 on the Missouri River would be an idle expenditure unless the whole improvement was adopted, and the whole improvement would cost at a minimum \$50,000,000. So that in substance the bill carries an authorization of \$110,000,000.

Upon the assurance of the gentleman from New York [Mr. DEMPSEY], chairman of the Committee on Rivers and Harbors, and other proponents of this legislation with whom I have discussed the matter that they will cooperate in an endeavor to obtain a record vote on the conference report and that we shall have two hours' debate for the opponents of the legislation, I shall not object to this unanimous consent.

Mr. CHALMERS. I reserve the right to object.

Mr. GARRETT of Tennessee. If the gentleman will permit me to make a statement—I do not want any misunderstanding about it. I want to say now that nothing that has occurred here do I construe as binding upon me to help in getting a roll call. The Constitution provides a method for getting a roll call, and I do not want any charge of bad faith against me or my colleagues if we do not aid in getting that roll call.

Mr. MAPES. Mr. Speaker, reserving further the right to object, I am glad the gentleman from Tennessee has made the statement he has. No one can misunderstand the gentleman's position. His statement allows me to say that the proponents of this legislation have not discussed the legislation with me since the bill passed the House of Representatives until yesterday. I do not have any desire to hold the gentleman from Tennessee responsible for anything that has taken place here this morning, and I object to gentlemen going around the Chamber and saying that certain Members have not kept faith and have not kept agreements in regard to this legislation when such Members have not been consulted about it, have authorized no one to speak for them, and have made no agreements themselves in regard to it.

Mr. CHALMERS. Mr. Speaker, I reserve the right to object to this bill going to conference until the chairman of the committee will assure us that the Great Lakes interests will be protected in the conference. Everyone knows that we object to congressional approval of diversion of water from Lake Michigan. I do not object to the Senate amendment, but I would like to have the opinion of the chairman, who will be one of the conferees, as to whether the Senate amendment on the Illinois project will stand, or whether the House provision will be put back in the bill. If the Senate amendment will be allowed to stand and be reported back, I have no objection.

Mr. DEMPSEY. In answer to the gentleman from Ohio, he knows full well that the chairman of the committee was one of those who brought about the adoption of the safeguarding provision to which he refers. We thought it was a wise and proper provision. I have not changed my mind in regard to it, nor do I expect that my fellow conferees will change their mind.

Mr. CHALMERS. I want to say that since I propounded this question I have been informed that the gentleman has made a statement to the Committee on Rules to that effect, and I do not object.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I am frank to say I do not intend to object, but I want to follow practically the suggestion made by the gentleman from Tennessee, and this seems to be an orderly time to make some remarks about one amendment that will be under consideration in conference. It is an item only in the hundreds of thousands which may seem trivial beside the millions wasted otherwise in the bill. Furthermore, because we do not hope for the conferees to secure a recession by the Senate on any amendment, however trivial. But there is one item, an irrigation project which has never been under the jurisdiction of the Committee on Rivers and Harbors and has no proper place in the bill.

Mr. DEMPSEY. Will the gentleman let me make a suggestion? It was not placed there by the Committee on Rivers and Harbors, but was placed there by the Senate Committee on Commerce. We are unable to control the jurisdiction of the Senate committee.

Mr. CRAMTON. The Senate Committee on Commerce has no more jurisdiction over reclamation than the Committee on Rivers and Harbors has.

If the gentleman will permit, let me ask that for three minutes he hold his ears open, if not his judgment, on this question. For some time there has been an expenditure of about \$100,000 a year at the expense of the reclamation fund on the Yuma project for certain work on the Colorado River, which has nothing to do with navigation. In the last river and harbor bill, knowing that such legislation could not be secured otherwise, a provision was inserted authorizing \$35,000 a year to be taken out of the Federal Treasury for that purpose.

Mr. DEMPSEY. And \$700,000 as a lump-sum payment.

Mr. CRAMTON. That \$35,000 was expected to be paid out of the Federal Treasury. Thirty-five thousand dollars also was to come from the State of California, and \$35,000 from the State of Arizona. They have found since, however, that the States of Arizona and California protect their funds better than we protect ours, and they will not contribute.

Mr. DEMPSEY. On the ground that it rises—

Mr. CRAMTON. Oh, I wish the gentleman would please permit me to continue. He has the last word anyway.

Mr. DEMPSEY. All right.

Mr. CRAMTON. And as they have refused to make the payment, now this river and harbor bill carries an item of \$100,000 perpetually from the Federal Treasury for these payments. Whether that hundred thousand dollars is additional to the \$35,000 in the former bill is not clear. Apparently it is. I do not believe it was so intended, but it is open to the construction that it will be \$135,000 to be paid out of the Federal Treasury. I would not attempt the forlorn task of trying to influence the conferees of the House except for the fact that if this is authorized it will come before the Subcommittee of the Committee

on Appropriations having charge of the Interior Department appropriation bill, of which subcommittee I happen to be a member, and I am indulging the hope that the gentleman would save me the pain hereafter of annually approving that hundred thousand dollars to be paid out of the Federal Treasury, and that the conferees will disagree to the Senate amendment. In any event, I hope the conferees will consider that very carefully, and whatever of justice there may be for that expenditure, I hope the House conferees will see that the persons interested take the proper legislative practice and go to the proper legislative committee and get their authority in the proper way.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

The SPEAKER appointed the following conferees: Mr. DEMPSEY, Mr. FREEMAN, and Mr. MANSFIELD.

CLERK TO THE OFFICIAL REPORTERS OF DEBATES

Mr. MACGREGOR. Mr. Speaker, I send to the Clerk's desk House Resolution 339, from the Committee on Accounts, and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from New York presents a resolution from the Committee on Accounts and asks unanimous consent for its consideration. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 339

Resolved, That until otherwise authorized by law there shall be paid out of the contingent fund of the House of Representatives the sum of \$2,750 per annum, payable monthly, as compensation to a clerk to the official reporters of debates to be appointed by the Speaker of the House of Representatives, and that the position of assistant reporter of debates shall not continue after the termination of service of the present incumbent.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

Mr. MACGREGOR. Mr. Speaker, unless some one desires an explanation, I ask for a vote.

Mr. SNELL. Mr. Speaker, will the gentleman state what the position is?

Mr. MACGREGOR. Mr. Speaker, Mr. Cameron, the assistant reporter of debates, who has been in the service of the House for, I find, at least the last 40 years, and probably a great deal longer, has become physically incapacitated. There is no one to take his position, and therefore we are attempting at the present time to create the position of a clerk to the official reporters of debates, who will do the work of Mr. Cameron, and that Mr. Cameron shall be retained during the period of his life.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

BRIDGE ACROSS THE MONONGAHELA RIVER

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 4862, granting the consent of Congress to the commissioners of Fayette and Washington Counties, Pa., to reconstruct the bridge across the Monongahela River at Belle Vernon, Fayette County, Pa., and ask for its immediate consideration, a similar House bill, H. R. 15282, being on the Calendar of the House.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill S. 4862, and for its present consideration. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the commissioners of the counties of Fayette and Washington, in the State of Pennsylvania, and their successors and assigns, to reconstruct the existing bridge and approaches thereto across the Monongahela River, at Belle Vernon, in the county of Fayette, in the State of Pennsylvania, with such changes in clearances as may be approved by the Chief of Engineers and the Secretary of War, and to maintain and operate the same, all in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill (H. R. 15282) was laid on the table.

SENATE BILL REFERRED

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to the Committee on Interstate and Foreign Commerce:

S. 3889. A bill to authorize the Railroad Commission of Texas and the Corporation Commission of Oklahoma to regulate tolls charged for transit over certain bridges across the Red River, in which the concurrence of the House is requested.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 13452) granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co. to construct, maintain, and operate a railroad bridge across the Wabash River.

The message also announced that the Senate had passed the bill (S. 3889) to authorize the Railroad Commission of Texas and the Corporation Commission of Oklahoma to regulate tolls charged for transit over certain bridges across the Red River, in which the concurrence of the House is requested.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate insists upon its amendments to the bill (H. R. 11616) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate Mr. JONES of Washington, Mr. McNARY, and Mr. FLETCHER.

MESSAGE FROM THE PRESIDENT

A message in writing from the President was communicated to the House by Mr. Latta, one of his secretaries.

DISTRICT OF COLUMBIA BUSINESS

Mr. ZIHLMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of District of Columbia business on the Union Calendar under the agreement of yesterday. Pending that motion I ask unanimous consent that general debate be limited to 30 minutes on any one of the bills called up, one half of the time to be controlled by the gentleman from Texas [Mr. BLANTON] and the other half by myself.

The SPEAKER. The gentleman from Maryland moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of bills reported from the District Committee on the Union Calendar. Pending that he asks unanimous consent that general debate upon each bill be limited to 30 minutes, one-half to be controlled by himself and one-half by the gentleman from Texas [Mr. BLANTON]. Is there objection?

Mr. BLANTON. Mr. Speaker, if the gentleman will modify that and provide in his unanimous-consent request for 30 minutes general debate on each bill, except as to one bill, I think it will be agreeable to my colleagues on this side. One of my colleagues wants some special time.

Mr. KING. On what bill?

Mr. BLANTON. That will be the first bill. It is the bill with respect to providing a nurses' home.

Mr. TILSON. How much time would satisfy the gentleman on that particular bill?

Mr. BLANTON. Mr. Speaker, with regard to the first bill, let there be 40 minutes on a side.

Mr. LAGUARDIA. Reserving the right to object, Mr. Speaker, the same argument may be presented against other bills. I am particularly interested in defeating the so-called usury bill.

Mr. ZIHLMAN. That is not in the list.

Mr. Speaker, I modify my request to limit the time of general debate on the bills called up to 30 minutes—that is, on the other bills—and 40 minutes on the bill referred to by the gentleman from Texas.

The SPEAKER. The gentleman from Texas asks unanimous consent that the general debate be limited to 20 minutes on the bills, with the exception of House bill 10355, on which 40 minutes are to be allowed. Is there objection?

Mr. BLANTON. The matter is not stated as the gentleman requested. He requested that as to all bills except the first one the general debate should be limited to 30 minutes, but the Chair put it at 20 minutes.

The SPEAKER. That is what the Chair understood the gentleman requested.

Mr. BLANTON. I insist that the gentleman's first proposition be put, that the debate be limited to 20 minutes to all the bills except the first bill, H. R. 10355, where the limit shall be 40 minutes.

The SPEAKER. Is there objection to the modified request of the gentleman from Maryland?

There was no objection.

Mr. CHINDBLOM. Should it not be understood that all bills should be laid aside and then reported?

Mr. SNELL. That is the practice of the House.

Mr. CHINDBLOM. That is the practice on days regularly set aside under the rule.

Mr. ZIHLMAN. I ask unanimous consent that the bills considered may be laid aside and later reported to the House en bloc.

The SPEAKER. The gentleman from Maryland asks unanimous consent that the bills considered in the committee be laid aside and later reported back to the House. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Maryland moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of bills reported by the Committee on the District of Columbia. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Iowa [Mr. DOWELL] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of bills reported by the Committee on the District of Columbia, with Mr. DOWELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of District of Columbia legislation. The gentleman from Maryland [Mr. ZIHLMAN] is recognized.

NURSES' HOME FOR COLUMBIA HOSPITAL

Mr. ZIHLMAN. Mr. Chairman, I call up the bill (H. R. 10355) authorizing the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum.

The CHAIRMAN. The gentleman from Maryland calls up the bill H. R. 10355, which the Clerk will report.

The Clerk read as follows:

[H. R. 10355]

A bill to authorize the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum

Be it enacted, etc., That a modern, fireproof nurses' home is hereby authorized for the Columbia Hospital for Women and Lying-in Asylum to replace the existing cottages and to cost not exceeding \$300,000, including heating and ventilating apparatus, equipment, accessories, roadways, and approaches and other facilities leading thereto. All of such work shall be performed under the supervision and direction of the Architect of the Capitol and in accordance with plans and specifications prepared by him and approved by the board of directors of the hospital. The plans and specifications may provide for such future extensions and modifications as may be deemed advisable.

SEC. 2. The Architect of the Capitol, for the purposes and subject to the limit of cost fixed by section 1 hereof, is authorized to enter into contracts, to purchase material, supplies, equipment, and accessories in the open market, to employ the necessary personnel, including professional services, without reference to section 35 of the act approved June 25, 1910, and to incur such other expenditures, including advertising and travel, as may be necessary and incidental to the purposes of this act.

SEC. 3. All expenditures incurred under this act shall be charged against the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed in the appropriation act in which the appropriations therefor are contained.

The CHAIRMAN. The gentleman from Maryland is recognized for 20 minutes.

Mr. ZIHLMAN. I will ask the gentleman from Texas [Mr. BLANTON] to consume some of his time.

The CHAIRMAN. The gentleman from Texas is recognized for 20 minutes.

Mr. BLANTON. Mr. Chairman, I yield to the gentleman from Alabama [Mr. HUDDLESTON] 10 minutes, and by agreement with the gentleman from Maryland I understand he will yield a similar time. Then the gentleman from Alabama will be recognized for 20 minutes.

The CHAIRMAN. The gentleman from Alabama is recognized for 20 minutes.

Mr. HUDDLESTON. Mr. Speaker, are we going to have war with Mexico? That is just now the most important question before the American people.

If Congress does not want war, then it is time that Congress had something to say on the subject. I have waited for members of the committees of the House and of the Senate who have charge of our international relations to bring this subject up and to present the views of the American people upon it. They have not done so, and I am unwilling to wait longer, because I feel that we are drifting rapidly into a situation when war will be inevitable.

I occupy in this House no position of great responsibility or influence in a party sense. However, I have a duty which I owe to over 400,000 people of the ninth district of Alabama. Also I have a responsibility to those multitudes of a certain school and habit of thought and of economic interest who are scattered throughout the country. I am not going to sit silent in this chamber and let my country be jockeyed by diplomatic maneuvers into a situation from which we can not recede without an appeal to war or a sacrifice of national honor and dignity. And I meet my responsibility to my constituents and to those of my school of thought throughout the country, and protest against the provocative course which the administration is following so assiduously. [Applause.]

I believe that 99 per cent of the people of the United States are opposed to war with Mexico. [Applause.] I believe that if it were left to a vote of the people at least 99 per cent, if they were permitted to express their will freely, would declare their opposition to it. And now I wonder whether that 99 per cent are to be hippodromed into an international war at the behest of the interests which I believe are behind the policy of the administration.

It is a fact that we have certain elements in this country who want war with Mexico. Some of those elements have wanted war for years, and the chances are we would have had it long ago had it not been for other international complications. They have sought to drive us into a war with Mexico for more than the last 12 years. Their purpose is deliberate. The people of the country have recognized it. They are the great American business interests that want the United States to go to war with Mexico for the protection of their mines and oil wells and for the profits they hope to be able to derive from the new "conquest of Mexico." They look only to profits from oil and mines and from their vast land holdings. They care nothing for our duty toward a weak sister nation; nothing for the principles of international honor and rectitude. They think only of cent per cent and the "clink clink" of gold on gold in the strong boxes of the great counting houses. [Applause.]

Recently the ranks of those who would view without regret difficulties with Mexico have been augmented by certain ecclesiastical influences which desire that we should punish Mexico for her alleged abuse of religious rights. It is not my purpose to discuss the merits of that issue. I am not greatly interested in its merits. But I do say that in determining whether we will be an aggressor against Mexico we should consider the situation as we would if Mexico were a power stronger and greater than we are and not weak and helpless to resist our aggressions. [Applause.] We should not attempt to coerce Mexico merely because she is weak and poor and unorganized and helpless before us, but rather, like brave men, men who love their honor and who want to see the escutcheon of their Nation kept clean, we should be more jealous of the rights and sensibilities of a weak nation than if she were strong and dangerous as are some of the Old World powers. [Applause.] We should extend the hand of help to Mexico. We should lift her up. We should contribute to her peace and order. We should use our moral influence to put Mexico as a nation and the Mexican Government as a government upon a basis of solidarity. We should not whittle away her rights nor, using the manner of a bully, stand over her with a big stick trying to dictate to her upon matters of purely internal policy. We should not undertake to extort for American investors the profits which they expect to derive from their speculations.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. MOORE of Virginia. Does not the gentleman think that our policy with reference to Nicaragua, the Philippine Islands, and, perhaps, other places is also controlled by a subservience to great and selfish business interests as well as in Mexico?

Mr. HUDDLESTON. Oh, yes; and to be perfectly frank I might say to the gentleman that much of our internal policy is controlled by the same considerations.

My conviction is—and it is not a mere suspicion, but is based upon careful study of the developments which have taken place—that the administration is driving deliberately and consciously toward a war with Mexico. The events which have transpired have not been purely accidental and casual. The quarreling with Mexico over her land laws is aggressive and

provocative. The sending of the marines into Nicaragua is for a deliberate purpose. The giving out to the world of the contemptible statement that Mexico is a Bolshevistic Government and that she is seeking to control Central America for communistic purposes was not accidental. That was deliberate. God knows it was mean and contemptible enough, and it would seem strange that any responsible official could have been guilty of such a crime by deliberation; yet, in view of the facts developed, it is impossible to escape the conclusion that it was a deliberate libel against Mexico and was committed in pursuance of a deliberate purpose.

What I am saying becomes peculiarly timely because of an official statement printed in the United States Daily of this date. I invite Representatives to read what the President said in that statement. The President has not spoken to Congress. He has not given us the benefit of his information. Congress has had no explanation made to it of the details of the negotiations. But apparently feeling it necessary to vindicate himself and his Nicaraguan activities before the world he issues a statement through the press, an official statement. It is unusual for the President to be so frank. Ordinarily he speaks merely through an "official spokesman" and not in person, but in this case it is the President himself who makes this statement to the press. It is quoted with his authority.

I will not take the time to read all the statement—it is very long—but I want to read a particular paragraph which, as I read it, filled me with apprehension. When I first read it this morning I went to a member of the Committee on Foreign Affairs and I said to him, "What are you going to do? Are you going to allow the President to put us into a war with Mexico?" And I asked him to bring the matter up on the floor of the House. He has not done so, and now I am going to do it. I know that Congress ought to be giving this matter some attention.

Here is what the President said:

The policy of the United States in protecting American lives and property in Nicaragua was reiterated at the White House, and it was further stated that American policy had not changed from that enunciated on August 13, 1878, when Secretary of State Evarts wrote to Minister Foster at Mexico City that American property must be protected and that the United States was "not so solicitous, nor ever has been about the methods or ways in which the protection shall be accomplished, whether by formal treaty stipulation or by formal convention, whether by action of judicial tribunal or that of military power."

Mark you, he expressly approves the use of force—he is not averse to the exercise of "military power."

And following that paragraph, the President said:

Rear Admiral Julian L. Latimer has full authority to take such action as he deems necessary to accomplish this protection.

The President has committed the carrying out of that policy to an officer of the Navy. The American Government in Nicaragua to-day is Admiral Latimer; the Congress of the United States in Nicaragua to-day is Admiral Latimer; you and I and the millions of plain citizens throughout this country in Nicaragua to-day are Admiral Latimer. To this naval officer has been committed the decision of these great questions of our national welfare.

Mr. BLANTON. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. BLANTON. Is it not a fact that in addition to the special interest in war that the special interests have that naval officers as well as high Army officers and low Army officers have a special interest in war, in that a rear admiral like Latimer can quickly become an admiral when war is on; is not that the fact?

Mr. HUDDLESTON. Honors, distinctions, emoluments, glory are won by Army and Navy officers only in military operations. There is no other channel by which they may be achieved. We have placed in charge of the activities of our country in a foreign land for the decision of these momentous questions a man who has everything to gain for himself and for his class and for his associations by military actions and nothing to gain by actions which lead to peace. He has been trained to rely on force; he believes in it with all his soul. From youth he has been inculcated with the "will for war" and now can we expect him to work for peace?

Mr. BLANTON. May I interrupt further?

Mr. HUDDLESTON. Certainly.

Mr. BLANTON. I feel like cautioning our distinguished colleague from Alabama with reference to his brave remarks because of this fact: He has probably noticed in the last week that Mr. William Randolph Hearst, in all his papers throughout the land, in front-page editorials in big, black-face type,

signed William Randolph Hearst, editorially spanked the President of the United States because Hearst said he was vacillating, had no policy, and then in the last day or two Mr. Hearst eulogizes him because he says the President has since gotten a policy and is sending battleships and the marines down to where they are needed. The gentleman might be editorially spanked in all of these papers, some of which at least may go into Alabama.

Mr. HUDDLESTON. May I say to the gentleman from Texas that I have been spanked in print so often that I am utterly calloused; it is impossible for Mr. Hearst to give me any pain. The esteemed Washington Post, that glorious organ of liberty and enlightened opinion, has also been spanking the President. It was his friend, his spokesman, his champion, and his admirer. It spanked him as a friend and it spanked him gently, yet firmly. It said that it was time now for the President to show some recognition of American traditions, and this and that—but now they have joined Mr. Hearst in the pæan of praise that the President has at last found himself.

Oh, there can not be any doubt that the President is yielding to the interests that want war with Mexico. [Applause.] And if we as Representatives do not want war we must speak up like men. If we are not willing in times like these to speak for our constituents and the boys at home who will fight the war, then it seems to me we had better get away and let somebody come here who will speak for them.

Mr. MOORE of Virginia. May I say one thing further to the gentleman?

Mr. HUDDLESTON. Yes.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BLANTON. Mr. Chairman, I yield the gentleman five minutes more.

Mr. MOORE of Virginia. If the gentleman should think it proper to submit a resolution or resolutions indicating what he believes ought to be an announcement of a wise policy, I can promise, so far as one member of the Committee on Foreign Affairs can promise, that the proposal coming before that committee will receive prompt consideration. [Applause.]

Mr. HUDDLESTON. The regard which I have for the opinion of the gentleman from Virginia [Mr. Moore] is so great that a proper modesty requires that I should ask him, as a member of the Committee on Foreign Affairs, to prepare the resolution. He belongs on the committee and I do not. I feel it is incumbent on the committee to formulate such resolutions and to introduce them.

War is what we are driving for. I want to voice my opposition to it—to voice the opposition of all those of our countrymen who are opposed to war.

Admiral Latimer, in the exercise of the limitless authority which has been conferred upon him by the President has taken possession of a part of the territory of a foreign country. He has excluded therefrom Sacasa, the only man who really represents the people of that country—Sacasa, the only lawful President of Nicaragua. He has excluded and disarmed the forces that represent the only constitutional authority in Nicaragua.

I quote Senator BORAH, who knows more about this subject than anybody that I know of. And the fine thing about it is that BORAH can be depended on. He says:

I am opposed to our taking part in the controversies in Nicaragua or the Central American countries. But if we are going to take part, then we ought to take part on the side of the constitutional authorities. If there is anybody in Nicaragua who is constitutionally entitled to be President of Nicaragua it is Sacasa. In October, 1924, a perfectly legal election was held. The Solorzano and Sacasa ticket received about 48,000 votes and the Chamorro ticket about 28,000. According to press dispatches and statements at the time, it was one of the most orderly elections ever held in Nicaragua and was entirely satisfactory to our Government.

Shortly thereafter Diaz and General Chamorro began a revolution at a time when the situation in Nicaragua was satisfactory, generally speaking. They forced Solorzano to retire as President; thereupon, of course, Sacasa, as Vice President, would become President. But they drove him out of the country under a threat of death, and then Chamorro had himself elected President by the Congress. But our Government refused to recognize Chamorro. Chamorro then stepped aside and under pressure compelled the Congress to elect Diaz as designado. In the meantime, Sacasa had returned and had been declared President and undertook to assume the powers.

Now the result of it is that we have recognized those who started the revolution against the legally and constitutionally elected President and Vice President. Diaz has not any more right under the constitution to be President than any other person in Nicaragua whom we

might choose. Diaz is President in violation of every provision of the constitution and in violation of the five-power treaty in Central America, and is held there by sheer force of foreign arms.

Admiral Latimer, with a naval officer's lack of regard for American traditions of free speech, has set up a censorship. What will he do hereafter? He has all the authority of a dictator—the President has clothed it upon him. To-morrow he may decide to disarm the entire Liberal forces. To-morrow he may seek to firmly establish in power this Diaz, the tool of the New York financial interests. To-morrow he may stop a Mexican ship with supplies for the Liberals, the lawful troops of Nicaragua. He may sink it. What right have we to declare that trade shall not be carried on between Mexico and Nicaragua or that Mexican vessels shall not carry into Nicaragua such arms or war material or anything else that their Government permits them to carry?

To-morrow Admiral Latimer may commit an act of war against Mexico—then what? I fear very much that he will provoke a situation that will not only put us into war with Mexico, but will be so outrageous in its implications that Mexico's sister nations, the Latin-American Republics throughout Central and South America, will feel that they can no longer submit to a bully swaggering up and down the Western Hemisphere. It may easily transpire that before this thing is finished we will be confronted by all these nations resolved no longer to submit to an assumption of American overlordship. We may be standing upon the edge of a volcano which may erupt with consequences of a tremendous nature.

I am opposed to war with Mexico. I say so now while it is yet time. I do not want to be jockeyed into a position where, as a Member of Congress, I may be compelled to vote for war and for the supplies to wage it in order to save my Nation's honor. The only time to protest is now.

If we do have a war I want to make some nominations to the forces that shall carry it on.

I nominate as right guide for the front line Calvin Coolidge. [Applause.] And as file closer Mr. Kellogg. I nominate for the front line Hearst, and McLean of the Post, and those for whom they speak. [Applause.] I am not willing that a single American boy shall be conscripted and sent into Mexico to lose his life in order that the oil companies may pay dividends. [Applause.] I would send the oil speculators to fight for their own property.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. BLACK of Texas. The gentleman realizes that it is the pacifists like Sergeant York that do the fighting in war times, and that editorial writers and jingo orators never do any fighting.

Mr. HUDDLESTON. If you should make it the rule that wars must be fought by the politicians and newspapers such as those who at present are jeopardizing the peace of our country, in their own person and without substitutes, and not vicariously—if we required them to do the fighting we would probably never have another war.

Mr. KING. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. KING. Incidentally the gentleman may recall that Woodrow Wilson headed the Army of the United States.

Mr. BLANTON. And gave his life for his country.

Mr. HUDDLESTON. As I recollect now of the leading agitators for war with Germany not a man ever took his place in the front ranks of the American Army.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Mr. Chairman, I yield one minute to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman, I measure my words and speak with extreme deliberation when I say that the national administration is rapidly driving the United States into a war with the Republics of Nicaragua and Mexico; and this is being done without the administration taking the American people into its confidence and giving them full information as to the facts. No thoughtful student of our foreign policy with reference to Latin America can escape the conviction that the administration is headed straight for war—a war that will necessarily involve a tremendous sacrifice of blood and treasure, unsettle conditions in Latin America for generations, and create in the hearts of the inhabitants of the South American Republics a fierce hatred and resentment that will require more than a century of peace to obliterate.

The administration in the last two weeks has been moving rapidly, and the United States is now at war with the little Republic of Nicaragua. Under authority of the President an admiral, in control of a fleet of American battleships, has landed American forces on the soil of Nicaragua, stationed our ma-

rines at strategic points throughout that Republic, including Managua, its capital city. Acting further under instructions from the President and Secretary of State, these United States troops have espoused the cause of a discredited and repudiated usurper, who can only hope to retain power by having United States troops fight his battles for him. Yes, gentlemen, at this good hour the great military power of the United States is being utilized in a foreign nation to make war on the most progressive and patriotic element in the Republic of Nicaragua. The Stars and Stripes are now floating over the barricades of a Nicaraguan despot, who is the servile creature of the big business interests in the United States, who, for their own inordinate greed, are exploiting the resources of Nicaragua and grafting the people of that little Republic.

American soldiers are taking possession of territory which the liberal and progressive army have captured from the usurper who is being defended by the military and naval power of our great Nation.

And moreover, gentlemen, this war has undoubtedly been planned by the administration and big business interests of this Nation for many months and it has been inaugurated and is now in full swing without the advice and consent of Congress and without the knowledge and consent of the American people. In other words, this war has been deliberately planned by the big business interests in America engaged in exploiting and plundering the people of Nicaragua. For weeks and months plans have been incubating for a war of aggression by the United States on the little Republic of Nicaragua. Under the specious guise of protecting American property and life our troops have been landed on the soil of a friendly nation and we are now making war on an overwhelming majority of the people of Nicaragua. There was no excuse for the landing of our troops or for American intervention in the internal affairs of Nicaragua. No American property has been destroyed, injured, or even disturbed. The life of no American citizen has been sacrificed or placed in jeopardy. No American citizen in Nicaragua has been deprived of his liberty in any manner whatsoever or disturbed in the pursuit of his business activities. The reasons assigned by the President for involving the United States in a war with a friendly nation are fallacious and false.

There is no real justification for the overbearing, bulldozing, and browbeating tactics of our State Department. We are a great Nation and should deal with weak nations with tolerance and charity. We should not be forever threatening to use "our big stick" and rattling our sabers to overawe and intimidate the weak republics of Latin America. This war in which the present administration has involved us—and it is a war—has been inaugurated to enable the big business interests in the United States who have overreached and plundered the people of Nicaragua to continue to collect enormous profits on concessions, many of which were obtained by fraud and corruption.

Not only are we at war with the Republic of Nicaragua, but the national administration is rapidly traveling toward a war with Mexico. The American big business interests that have exploited the oil, mineral, and land resources of Mexico will not be satisfied until they precipitate war between the United States and Mexico. These selfish interests are willing to sacrifice American blood, life, and treasure in a frantic effort to hold on to their ill-gotten gains in Mexico. One nation has nothing to do with the internal government of another nation. The people of the United States will not permit any foreign nation to advise them as to how we shall conduct our internal affairs, and speaking frankly, and may I say, as an American patriot, it is not the business of the United States Government to direct the Republic of Mexico as to what laws it shall enact and as to how it shall regulate its internal affairs. The question of liberty of conscience and freedom of worship is not an issue in this case. As an American, I glory in our free institutions under which every person in the United States is privileged to worship God in accordance with the dictates of his own conscience. This freedom of worship is one of the crowning glories of our free institutions. To maintain this freedom of worship and liberty of conscience in the United States every red-blooded American would fight and, if necessary, die. It is eminently proper for the United States to guarantee to its humblest citizen liberty in religious worship, but certainly no one will contend that we should go to war with another nation in order to compel such nation to grant religious tolerance to all sects and creeds. As an individual, I greatly deplore the harsh and hostile attitude of the present Mexican Government toward all religious organizations, but this would not justify the United States Government in provoking war with Mexico and in sending our armies across the Rio Grande to subjugate our southern neighbor. It would be a tremendous task for the United States Government to declare

war against every nation that was guilty of religious intolerance. Many of the great nations have from time immemorial enacted and enforced laws which stifled the human conscience and denied freedom in religious worship. If we should undertake to establish religious tolerance in all the nations, our war fleets would cover the seven seas and our armies would have to be sent to more than a dozen nations.

But, gentlemen, the American people are going to awaken some morning and suddenly realize that we are not only at war with Nicaragua, but that we are at war with Mexico. The American Congress does not will these wars. The American people do not want to be involved in war with Nicaragua, Mexico, or any other nation. The American people and the American Congress are not being consulted by the President and his advisers, but when as a result of the blunders of the administration grim-visaged war is on us, the President will make a patriotic appeal to Congress and to the American people to stand by him and uphold the honor of our great Nation. Congress will be asked to increase our armies, to vote immense war supplies, and to send the boys from American homes into the deserts and mountains of Mexico and Nicaragua to fight an unholy war and to sacrifice their lives in a cause fundamentally unjust; a war of aggression; a war of conquest; a war incubated by the big business interests in the United States for the protection of their oil, mineral, and land concessions in Mexico and Nicaragua.

I am appealing to the patriotism and wisdom of this Congress to put brakes on the President and Secretary Kellogg, to the end that war with all its miseries and economic waste may be averted. I am appealing to the newspapers of America to sound the warning far and wide so the American people may realize that we are on the brink of another frightful war which will take as its toll the lives of thousands of boys from the American homes, result in another tremendous wastage of our national wealth, alienate the sober respect of mankind, and create enmities in the Latin-American Republics that a century will be too short to eradicate.

I am not a sensationalist. I am not an alarmist. I am only a plain American citizen, who has thoughtfully followed the diplomatic maneuvers of our Government in its hostile attitude toward two republics with which we should endeavor to live on friendly terms. I am speaking in order that the American people may realize that the President has already involved us in a war with a Central American Republic, and that, judging from the attitude of the President and the State Department, the United States will soon be dragged into a war with Mexico. I repeat, neither Congress nor the American people are responsible for this condition. Congress has not willed these wars. The American people have not been consulted about these wars and are not responsible for them. Our war with Nicaragua, which is a reality, and our war with Mexico, which is impending, are the results of the blundering diplomacy of President Coolidge and his Secretary of State, Mr. Kellogg. What is Congress going to do about it? What are the American people going to do about it? Sit supinely by and allow these war plans to be consummated, or speak in no uncertain terms in condemnation of this nefarious and damnable intrigue by which this Nation now has one war on its hand and another impending.

The CHAIRMAN. The gentleman's time has expired.

Mr. BLANTON. Mr. Chairman, I will use the remainder of the time myself. So far as the purpose of this bill is concerned, there is no objection in the House. When the bill is read under the five-minute rule I shall offer an amendment, on page 2, line 14, providing that after the fund provided for in the bill shall be taken out of the revenues of the District of Columbia, we strike out of the bill the other language by which it is the hope of certain District officials to take some of this money out of the Federal Treasury. Those words in lines 15, 16, and 17 ought to be stricken out, and I shall ask you to do that.

This is a hospital for the District of Columbia. We give this District every year for its expenses not only the \$9,000,000 lump sum, but in addition to that \$9,000,000, in other bills, we give at least \$2,000,000 more out of the Federal Treasury. I maintain that \$11,000,000 out of the taxpayers of the United States contributed every year for the fiscal expenses of the District is enough. The District Commissioners ought not to be continually trying to draw out of the Federal Treasury more and more funds for the people of the country to raise. That is my position on this bill, and I do not care to take any further time.

Mr. ZIHLMAN. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, if correspondence is any criterion of the views of the people we are sent here to repre-

sent, I feel that there are two measures on which this House ought to be able to secure in some manner, in some way, some information, and I rise to see if that is possible. They are both bills in conference. One is the so-called McFadden banking bill, which went to conference last May. It was returned to this House some time in June and has laid dormant since then in the hands of the conferees. I am casting no aspersions upon either the House or the Senate conferees, but I do think, Mr. Chairman, that the people of the country interested in banking legislation and in financial matters are entitled to some information from the conferees as to what has become of that bill. [Applause.] I know little as to the merits of the points in dispute between the Senate and the House, but I do say there ought to be some system, if not in the rules certainly in the procedure of the House, so that we can get information the people are entitled to.

The other bill to which I refer is of more direct interest in the minds of all the people than the one of which I have spoken, and that is the so-called White radio bill that has been in conference since July 2.

I have asked the gentlemen who are conferees, or some of them, so frequently about that measure that they must be tired of saying that they have nothing to report and that they "can not get together." I do not care what the differences are between the conferees. The people want action, and the only way that they can get action is to insist that we, their representatives, urge the conferees to at least tell us "where we are at." Within a period of a very short time the radio has gone out into almost every home in the land. The increase in its use has been perfectly enormous, and therefore there has sprung up a great dissatisfaction among the people because they can not use their radios satisfactorily under existing conditions. That condition can be regulated by legislation. The legislation is in the hands of six men. I do not care how they compromise or what they do, as long as authority for control and the use of the air is put into the hands of some disinterested Government official.

The community that I represent is a farming community to a large extent. The winters there are long and dreary. If there is one thing that makes life pleasant to those people, it is to be able to sit by their home fireside and be favored with the great concerts that are given in the metropolitan centers. They are entitled, as long as there is that power of radio broadcasting, to service and protection; and I say that the day has come when Congress should assert its right and might in behalf of the people and tell these two groups of conferees, "We do not care what your differences are; we want to know why you have not been here before the branches of Congress and reported your findings in all these months." [Applause.] The fault may be with the system of conference, but if so it is not right the public should be the innocent sufferers. The blame must rest upon both branches of Congress.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ZIHLMAN. Mr. Chairman, I yield three minutes to the gentleman from Arkansas [Mr. Wingo].

Mr. WINGO. Mr. Chairman, if I may have the attention of the gentleman from Massachusetts [Mr. Treadway], I happen to be a member of the conferees on the part of the House on the McFadden bill. I am very fond of my friend from Massachusetts, but I do not believe the gentleman has ever asked me anything about it, has he?

Mr. TREADWAY. Not to my knowledge. I would say to the gentleman that I talked no later than yesterday with the chairman of the committee and the chairman of the House conferees upon the matter, but was not able to secure any direct replies to such inquiries as I have just made on the floor here. So far as bringing the matter up in the House is concerned, I might state that the gentleman from Pennsylvania [Mr. McFadden] was agreeable to my doing so.

Mr. WINGO. Mr. Chairman, the conferees have not met this session. That is not my fault. I have repeatedly said to the conferees, individually and collectively, "I am anxious to have legislation and will meet you more than half way on a compromise," but the ultimatum that meets that suggestion is one that leaves me with no other recourse than to carry out the instructions of the House, which I have always tried to do as a conferee. I shall continue to endeavor to discharge my duty as a conferee and to obey the instructions of the House.

Mr. BLANTON. Mr. Chairman, if the gentleman will yield, what has spurred our friend from Massachusetts into action, I imagine, is the great number of telegrams that we are receiving on the radio bill. I received 13 yesterday or the day before yesterday from one town, and then there is the Hull propaganda that is coming into our offices every morning. I am

afraid that that is what has pushed the gentleman from Massachusetts into action.

Mr. TREADWAY. If I may be allowed to answer—

Mr. WINGO. Oh, I do not want to lose all of my time. Mr. Chairman, I think we all understand the propaganda both pro and con. I can not turn around without some branch banker or some attorney of some branch banker pleading with me to recognize "the trend of events" and to recognize, so he contends, that the independent unit banker is a thing that has to be sacrificed, asking me to give him a chance to set up a branch bank in his particular territory. Under the instruction of the House, I am bound not to yield to such importunities on the part of these branch bankers.

I am willing to cut out the matters in controversy that are preventing an agreement—that is, the branch-banking question—and pass the rest of the proposals contained in the McFadden bill, together with a provision renewing the charter of the Federal reserve banks, according to the agreement of all six of the conferees on this question. I have offered to the leaders who have talked to me about this matter to do this. Of course, if the branch bankers and those who represent their view want to kill all the other legislation unless they can have their way on branch banking, the responsibility will be theirs and not mine.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That a modern, fireproof nurses' home is hereby authorized for the Columbia Hospital for Women and Lying-in Asylum to replace the existing cottages and to cost not exceeding \$300,000, including heating and ventilating apparatus, equipment, accessories, roadways, and approaches and other facilities leading thereto. All of such work shall be performed under the supervision and direction of the Architect of the Capitol and in accordance with plans and specifications prepared by him and approved by the board of directors of the hospital. The plans and specifications may provide for such future extensions and modifications as may be deemed advisable.

Mr. ZIHLMAN. Mr. Chairman, I wish to say in offering the amendment which I propose to offer that the Senate has passed a similar bill carrying an authorization of \$400,000 instead of the \$300,000 carried in the House bill. It is my purpose now to offer an amendment striking out the figures \$300,000 and substituting therefor the figures \$400,000. If that amendment should be agreed to, I shall ask unanimous consent when the bill is returned to the House that the Senate bill be substituted for the House bill, it being an identical bill with the exception of the authorization carried. I offer that amendment now.

Mr. CRAMTON. Why has not the gentleman called up the Senate bill so that we may operate upon it directly here?

Mr. ZIHLMAN. The Senate bill is on the House Calendar, and my understanding of the rules is that it is not permissible to call it up when the Committee of the Whole House on the state of the Union is considering District legislation on the Union Calendar, but that the substitution would have to be made in the House.

Mr. CRAMTON. But the gentleman is not operating to-day under the regular District day rule, but under a rule that permits the gentleman to call up District legislation.

Mr. ZIHLMAN. On the Union Calendar.

Mr. CRAMTON. I did not understand that it was limited to the Union Calendar.

Mr. TILSON. For the time being it is. We are in the Committee of the Whole House on the state of the Union for the consideration of the Union Calendar bills.

Mr. CRAMTON. If the Senate bill proposes an appropriation as this does, how does one happen to go on the Union Calendar and the other on the House Calendar?

I will say to the gentleman that the Senate has passed a similar bill, an identical bill, with the exception of the amount, but that bill has not been reported from the committee. I offer an amendment to strike out "\$300,000" and insert "\$400,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Maryland.

The Clerk read as follows:

Amendment offered by Mr. ZIHLMAN: Page 1, line 6, strike out "\$300,000" and insert "\$400,000."

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, I should have no objection to that amendment, provided the gentleman from Maryland [Mr. ZIHLMAN] would make this bill do clearly just what the gentleman from Michigan [Mr. CRAMTON] thinks it does now,

and that is to strike out lines 15, 16, and 17, on page 2, so that there would be no doubt but that this \$400,000 would come out of the District revenues.

Now, what attitude, may I ask the gentleman from Maryland, is he going to take on the amendment which I intend to offer to strike out lines 15, 16, and 17?

Mr. ZIHLMAN. I will say to the gentleman that I am of the opinion, and firmly of the opinion, that the bill as written carries a provision that the money shall be paid out of the District revenues under the present fiscal relationship existing.

Mr. BLANTON. Then why not make it definite by striking out any reference to the Federal Treasury that might authorize the District Commissioners to come before the Committee on Appropriations and insist on an arrangement different from the \$9,000,000 lump-sum arrangement?

Mr. ZIHLMAN. I will say to the gentleman that the substantive law at the present time provides for a 60-40 distribution of expenses between the District of Columbia and the Federal Government.

Mr. BLANTON. Yes. That is the thought I had in mind as being in the mind of the chairman and the District Commissioners, who are continually trying to get the Committee on Appropriations to go back to that 60-40 plan.

Mr. ZIHLMAN. Even under the present arrangement the Federal Government contributes all the way from 25 to 27 per cent of the appropriations.

Mr. BLANTON. The \$11,000,000 annually that we now give them is enough for the taxpayers of this Nation to pay on civic expenses here.

Mr. ZIHLMAN. This bill clearly sets forth that the funds authorized must be appropriated under the provisions controlling appropriations for that period.

Mr. BLANTON. One thing that makes us like the gentleman from Maryland is that when we pin him down he is always frank. He admits now that his reason for insisting on the retention of lines 15, 16, and 17 in this bill is the old 60-40 law, that he thinks should be in existence.

Mr. ZIHLMAN. No. I leave to any authority in this House who has made a study of this question whether this bill does not provide for the money to be paid entirely out of the District.

Mr. BLANTON. I have seen large sums of money repeatedly taken out of the Public Treasury when the Congress did not intend it. After we have adjourned and gone home I have seen it done. I have stayed here and watched it done. That is exactly what these commissioners had in mind when they wrote this bill, hoping to go to the Committee on Appropriations and say, "Congress has not changed the 60-40 law, and we want this appropriation to be met under the 60-40 arrangement."

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. CHINDBLOM. Do I understand the gentleman has seen the authorities of the District of Columbia take money out of the Treasury in violation of law?

Mr. BLANTON. Heads of various departments; yes, I have. They have put a different construction on the laws we passed.

Mr. CHINDBLOM. I think the gentleman, then, should go further into detail about it.

Mr. BLANTON. I have made printed reports to Congress on it. I have shown that after Congress adjourned on one occasion Colonel Sherrill, because he found he had a surplus remaining of unexpended funds on June 30, made an order increasing every pet employee's salary \$100 each for that one month of June in order to use up that surplus.

Mr. CHINDBLOM. Was that in violation of law?

Mr. BLANTON. Yes.

Mr. CHINDBLOM. How did he get by the Comptroller General?

Mr. BLANTON. He got by the Comptroller General because of this pernicious sliding scale which Congress gives general authority for. The Congress did not understand what it was doing on that question. The Congress passed a law authorizing that sliding scale. They did not understand that this could be done under it, and Mr. MADDEN said he would try to stop such unauthorized acts as Sherrill was guilty of, and he did stop it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GILBERT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GILBERT. The gentleman from Texas rose to speak in opposition to the amendment, but he did not speak in opposi-

tion to the amendment. I would like to have five minutes in opposition to the amendment.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. GILBERT. The gentleman's amendment would raise the amount \$100,000. Does not the gentleman think we are going a little bit far? The purpose of this bill is to build a nurses' home. I think we were very liberal in fixing the amount at \$300,000 for a nurses' home.

Mr. ZIHLMAN. This is simply an authorization. This is the maximum that can be expended. The directors of the institution and the Architect of the Capitol have to satisfy the Committee on Appropriations as to the economy of the plans they submit and the need for the expenditure to be made.

Mr. CRAMTON. If the gentleman will yield, then I understand the position of the gentleman from Maryland and the position of his committee would be that when this comes before the Committee on Appropriations it will be their proper function to go into the question and recommend such an amount as may be proper and necessary for the situation. It may be \$200,000 and it may be \$400,000.

Mr. ZIHLMAN. Yes. It could not be in excess of \$400,000. It might be \$200,000. The language is "not exceeding."

Mr. GILBERT. My judgment is that \$300,000 is very liberal.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland [Mr. ZIHLMAN]. The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 3. All expenditures incurred under this act shall be charged against the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed in the appropriation act in which the appropriations therefor are contained.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 2, line 14, after the word "Columbia," insert a period and strike out all of lines 15, 16, and 17.

Mr. BLANTON. Mr. Chairman, I want to present to my colleagues a common-sense proposition on this bill. This is a District matter, a District nurses' home, with which your constituents and mine are not concerned. If we want, as the gentleman from Maryland [Mr. ZIHLMAN] would have us believe, to spend the money out of the District revenues, why do we not state that and not put it up to the Appropriations Committee to state it in another bill? When it says it shall be taken out of the District revenues in line 14, why do we not stop there and cut out lines 15, 16, and 17, which say:

and the Treasury of the United States—

And so forth.

Thus leaving the matter in doubt and making lawful whatever the Committee on Appropriations sees fit to do about this matter?

This is the legislative committee now acting. This is where the legislation is properly framed. Why do we not make it definite and clear and why not say here just what we want to do about it? I am not against this bill; I am for it and I am for the nurses' home. I did not fight the change from \$300,000 to \$400,000. If there is need for \$400,000 spend \$400,000, but let the people who want it, let the people who need it, let the people who are to use it, and let the people for whose benefit it is built, namely, the District people, pay for it, especially when we are contributing \$11,000,000 a year of the taxpayers' money toward the fiscal expenses here. Why should not these three lines be stricken out? My friend from Maryland [Mr. ZIHLMAN] and my friend from Michigan [Mr. CRAMTON], whom the newspapers fight but who is one of the best friends this District has, and when the crucial time comes makes a hay fight or a straw fight here once in a while but after all gives the District just whatever it wants, will get up and say, "It is going to come out of District revenues anyhow." If it is, let us make it definite and clear. That is all I want to say. What excuse have you for not voting for the amendment? Is it not reasonable and should we not make it definite and should we not make it clear that we are going to take the money out of District revenues, and not out of the Federal Treasury?

Mr. CRAMTON. Mr. Chairman, I ask recognition in opposition to the amendment. I do so with much embarrassment after the gentleman from Texas [Mr. BLANTON] has referred to my "straw fights" here or "hay fights." I do not know

whether that is because they are not daily, but certainly it is not because they have always not been effective. However, I am obliged to oppose the gentleman's amendment on the ground that it is unnecessary and undesirable. The section as it stands provides that—

All expenditures incurred under this act shall be charged against the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed in the appropriation act in which the appropriations therefor are contained.

The other day I said on the floor that I would not oppose an authorization for this institution if it came up in the regular way, and I am not going to oppose it. So long as the authorization provides for the payment of the expense of construction, as other expenses of the District are provided for, in the year that the expenditure is made, I am satisfied.

Under the bill as it stands, if it becomes a law this month, and following that an estimate comes up from the District officials to the Appropriations Committee for the expenditure of \$400,000, and that appropriation is made, if we continue the lump-sum plan for the fiscal year beginning next July, that \$400,000, then, would be taken care of as are other expenses of the District; that is to say, in effect it would be at the expense of the District because our contribution would be fixed and definite at \$9,000,000. These additional amounts would be beyond that sum. If it should happen that the Congress in some lapse should abandon the lump-sum plan, should return to the percentage plan, should bind the Government to pay 40 per cent or 50 per cent or a stated per cent of the expenses, why, when the Congress does decide to return to the percentage plan, there is no reason why it should not apply to this item just as much as it would apply to any other hospital item in the District or any other expenditure in the District.

I do not want a hodge-podge of provisions in the law with reference to these expenses. It has been my idea we should adopt a definite policy of contributing a stated amount and let the rest of it come from the District revenues. Then their enthusiasm for new expenditures is tempered by the knowledge it is their money that is to be spent. I notice they have now got to a new point in the District. They have reached the point where in the citizens' associations they are opposing requested appropriations, because it is going to increase their tax rates. Now, that is what everybody else in the country runs up against. The more there is expended for schools, pavements, lighting, and hospitals the more the taxes amount to, and that should be the experience of taxpayers in the District, that the more appropriations they ask for schools, paving, and so forth, the more should be their taxes, and the one realization should temper their enthusiasm for the other.

As long as the lump-sum plan prevails that is now the practice and which we think will prevail for a year or two to come, this item will be cared for just as the gentleman from Texas wants it cared for; but if there comes a time when this Congress relapses its judgment on these things and becomes so confused as to abandon that system and return to the percentage plan, why, let this little item go along with the rest of it and not have conflicting provisions.

Mr. BLANTON. Then the gentleman has in mind that we may soon return to that plan?

Mr. CRAMTON. I do not believe the Congress will ever return to the percentage plan. I think the greatest blessing that could come to the people of this District would be for them to have a realization that Congress is not going back to the other system. The greatest service that one or two newspapers here could confer on the people who support those newspapers would be to put the real situation of Congress before their readers instead of feeding them column after column of bunk with reference to the situation.

Mr. BLANTON. Are we not helping them give them bunk by just such provisions as are in this bill?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. ZIHLMAN. Mr. Chairman, I hope the amendment offered by the gentleman from Texas will not be adopted. As the gentleman from Michigan has stated, this bill does substantially what the gentleman from Texas, by his amendment, is seeking to do. It is just a question of whether we shall accept the language offered by him or the language of the bill.

There is no change made in existing fiscal relations between the District of Columbia and the Federal Government.

I want to say further that this hospital is built upon land owned by the Federal Government. The Federal Government contributed 50 per cent toward its erection, and the Federal Government holds title to the hospital in question. This bill does exactly what the gentleman from Texas is seeking to do, namely, provides that the appropriation shall be made as pro-

vided in the appropriation bill for the period in which the expenditure is to be made.

Mr. BLANTON. Will the gentleman yield?

Mr. ZIHLMAN. I yield.

Mr. BLANTON. And is not that also true with respect to the central market house, covering blocks of ground, which the people here use free every day as their market house, and is not that also true as to Rock Creek Park, which is used every day in the summer? The Federal Government owns all of it, contributes all of the expense of it, and gives the people the benefit of it.

Mr. ZIHLMAN. The gentleman has not made a correct statement.

Mr. BLANTON. Is not that true?

Mr. ZIHLMAN. As to Rock Creek Park, we have just authorized an expenditure of \$600,000 in that park entirely from the funds of the District. The funds of the District maintain the park and the roads and parkways therein.

Mr. BLANTON. I am talking about Rock Creek Park before we passed that bill.

Mr. ZIHLMAN. Rock Creek Park was purchased under the fiscal relations existing at that time, and the people of the District contributed one-half of the expense of that park. So far as the central market is concerned, I will say to the gentleman that the usual rates of rent for stalls and stores in that market prevail there, just as any other market—in Baltimore, in the gentleman's town, or anywhere else.

Mr. BLANTON. But the District people have never contributed one cent in taxes to that central market.

Mr. ZIHLMAN. What does the gentleman mean?

Mr. BLANTON. For buying the market site.

Mr. ZIHLMAN. No; it is on land owned by the Federal Government, just as this hospital is.

Mr. BLANTON. Yes; and the Government furnishes the expense of it.

Mr. CHINDBLOM. But the occupants are paying rent, are they not?

Mr. ZIHLMAN. Yes; they are providing the usual revenue.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. ZIHLMAN. Yes.

Mr. MOORE of Virginia. I understand that what the gentleman means is that the amendment offered by the gentleman from Texas would accomplish nothing of any practical value.

Mr. ZIHLMAN. Absolutely.

Mr. MOORE of Virginia. Would make no practical change in the bill.

Mr. ZIHLMAN. The gentleman from Texas differs entirely from any of the other gentlemen of the House who have read the bill. I think everyone who has read the bill agrees that this bill does exactly what the gentleman from Texas wants to do.

Mr. BLANTON. Will the gentleman yield further?

Mr. ZIHLMAN. Yes.

Mr. BLANTON. I am not surprised at my friend from Virginia rising, because he is on one side of the river getting his hand-outs and my friend from Maryland receives his on this side of the river.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

FARMERS' PRODUCE MARKET

Mr. ZIHLMAN. Mr. Chairman, I call up the bill (H. R. 15668) authorizing the acquisition of a site for the farmers' produce market, and for other purposes, and I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman calls up the bill (H. R. 15668) authorizing the acquisition of a site for the farmers' produce market, and for other purposes, and asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, I yield five minutes to myself. There is in this bill just such a provision as you had in the last bill, a provision that will make controversy in the Committee on Appropriations.

I can not expect to outvote my friend from Maryland [Mr. ZIHLMAN] when he is backed up by our distinguished friend from Michigan [Mr. CRAMTON] and my very distinguished colleague from Virginia [Mr. MOORE], for whom every one of us has a high respect and a high regard. They are here with their

V formation, and that was an awful hard formation to break up when I played football some 30 years ago.

I was amused this year in watching the progress of the campaign of our friend from Maryland [Mr. ZIHLMAN]. He is such a genial, big-hearted, bully good fellow personally that, though being a Republican, we who serve on the committee with him had to sit back and watch with amusement only his race in the campaign. When they were hammering him in his district because he had not procured for the people of Maryland the \$70,000,000 dam up at Great Falls which they wanted, and when they were hammering him because he had not secured this \$25,000,000 and that \$50,000,000 which they wanted, ah, he came back at them, and I watched his masterful answer. He would get up and say I got this for you and I got that for you and I got this here and I got that there, and if you will let me alone I will get the balance for you; and he is now getting some of the balance. [Laughter.]

When the interests of the District do not conflict with the direct interest of the people of Maryland he is for the District against the whole United States taxpaying public; but when it specially hurts the people of Maryland to do something for the District he stands between the devil and the deep blue sea and has to make such speeches as he made at Silver Springs last night.

His great State of Maryland has put a 4½-cent a gallon tax on gasoline. At Silver Springs last night he eloquently arrayed himself against such a law, because why? Why, he said it would cause all the people in Maryland to come over into Washington and buy their gasoline where there is only a 2-cent tax. He said all the people of Maryland would come over here and buy their gasoline from the dealers in Washington, and the dealers in his district would lose their business.

I can not blame him; but how long are you going to let these two stalwart representatives of the back-door people of Washington who live in Maryland and Virginia get this hand-out from the Federal Treasury?

Mr. SCHAFER. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SCHAFER. Does not the gentleman believe that the Democratic Party may look with disfavor on his speech which will make the election of the gentleman from Maryland perfectly secure in the future?

Mr. BLANTON. The Democratic Party is so mighty big and strong and grand that the election of one poor little Republican in Maryland does not affect it. [Laughter.] It does not have any effect on the Democratic Party. We can allow the Republicans here and there from such a State as Maryland to elect one or two when we are in power.

Mr. CHINDBLOM. In other words, it simply reduces your minority a little? [Laughter.]

Mr. BLANTON. That is all. Mr. Chairman, I yield back the remaining 10 minutes of my time.

Mr. ZIHLMAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Chairman and gentlemen of the committee, I want to say a few words about the necessity of immediate legislation for the regulation of radio. Radio has developed into a tremendous business in the United States, approaching something like a half billion dollars. Its beginnings were very modest. There was a time, when we first began to use the radio or the radiophone, within the last six or seven years, when a boy with a little mechanical ability, a good head, and an investment of 30 cents could make himself what is known as a crystal set, upon which the local stations could be heard within city limits, and even up to a distance of 10 or 15 miles.

I recollect that my colleague from Illinois [Mr. CHINDBLOM] had a boy of about 12 years of age who, for the sum of 30 cents, made one of these crystal sets, using a cigar box as the container. One drawback to that suggested low price is this: It was necessary to have a pair of head phones that cost from five to seven dollars at that time. Nevertheless this shows with what degree of simplicity the art started.

Many of these crystal sets are still in use, because in any locality where you have in a city a broadcasting station most excellent reception can be had for the use of head phones with a crystal set, and the crystal set is ordinarily very cheap in price, now sold for a dollar and a half or \$2, and can be made for less. Then there came what was known as the single-tube set. This type, instead of using a crystal for a detector, used a vacuum tube designed especially for that purpose, and it has been possible for some of our young men, some of the boys of the country, to "listen in" over great distances with their sets. In fact, record distances have been made by boys 12, 14, and 15 years of age who, with considerable mechanical ingenuity and also the help of schematic drawings, have made one-tube

sets. Then there came the scheme of amplification, developing the set into a three-tube set with a two-stage amplifier, so that a loud speaker could be used. As new broadcasting stations came on the air it soon developed that this type of set was not efficient, because they lacked what is known in radio parlance as selectivity. You could not cut out your local station. It appeared all around the dial, no matter where you turned the tuning condensers. Then they developed what was known as the radio-frequency type, tuned with three condensers. That has been modified in the later-day sets with gang condensers on a single shaft, tuned with one dial. They are not as efficient as those tuned with three separate tuning dials. A further development gave us the superheterodyne type, involving the use of anywhere from 6 to 8 and sometimes 10 or 12 tubes.

These are all covered by patents. The Hazeltine patents cover a special radio-frequency type, which is known as the neutrodyne, and in which there is a patented neutralizing process not used in the ordinary radio-frequency sets. The regenerative type of radio set is covered by the Armstrong patents.

The use of the radio has become almost universal. Gentlemen will remember the campaign two years ago headed by "Roxey," the entertainer from the Capitol Theater, in New York, when a fund was raised for the equipment of the hospitals here in Washington with radio sets; and, in fact, nearly all of the veterans' hospitals in the country are now so equipped, and the necessary funds have come from various sources, generally public and private subscriptions. There is located in these institutions a very high-grade receiving instrument, and then the building is wired for radio.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BLANTON. Mr. Chairman, I yield the gentleman five minutes more.

Mr. CROWTHER. So that it is possible for the nurse to hand the head phones to the patient, and connection is made by a plug at the head of the bed, and the patient is enabled in his moments of freedom from pain, during his long confinement, and even while taking various treatments, to enjoy the best in prose and poetry and music that we have in the country.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. REED of New York. And is it not true that some of the veterans whose hearing was affected during the war, and who can not hear very much except through the radio, are now enjoying concerts and lectures and things of that kind?

Mr. CROWTHER. That is a fact. One of the peculiarities about the radio wave is that people who can not hear ordinary conversation in very close proximity to the speaker can hear very distinctly with the circuit completed with a set of head phones. I remember that I had the pleasure of having General Sherwood, the grand old man who was for many years a Member of this House, in my room on several occasions. Gentlemen who knew him well will recall that he was very deaf. He listened through a set of head phones on a six-tube instrument that I had, and the volume was so terrific it would have crashed the ear drums of an individual with normal hearing. But so defective was his hearing that the full power of that instrument was necessary. He used to sit by the hour and listen to political talks by the newspaper men and to the various musical programs, and he assured me that he had not been able to hear anything of that sort clearly and distinctly for nearly 20 years.

Radio is used in police stations to-day, and regularly at headquarters reports are received of thefts and descriptions of fugitives from justice, lost children, and so forth. I was in my room the other night at 5 o'clock and heard a message that was being broadcast from Atlanta, Ga., describing an automobile and four young bandits who held up a bank at East Atlanta. Within 15 minutes after the robbery that message was on its way over the radio.

I might talk for an hour about the various uses to which radio has become adapted. We have wave lengths from 200 meters down, and they have been allocated to what are known as the "hams," the boys who have sending instruments, who do not spend much time listening to broadcast programs, but who transmit and receive their messages in code. Their equipment is usually homemade and highly efficient.

To these young men who are located in Washington the Pacific coast of this country is merely a local station. They pick up on low wave lengths messages from Germany and Australia, and their work has proved especially valuable in getting through messages, from localities where flood and dis-

aster have paralyzed the wire service. Wave lengths from 200 to 545 were originally allocated to the broadcasting stations. There were 539 stations a year or two ago, broadcasting on 89 wave lengths, with an average of 6 to a wave length. That was accomplished by dividing time as we did in Washington, WCAP one night and WRC the next night, both on the same wave. After that period there came the legal contest in Chicago. I think it was the Zenith Co. who brought suit against the Secretary of Commerce. That suit was finally decided in the company's favor, the court declaring that the Secretary of Commerce had no authority under the law of 1912 to allocate special wave lengths to any individual.

The result was that everybody who was dissatisfied with their wave length took to pirating and bootlegging, as it is called sometimes—and proceeded to broadcast on a wave length that was thought to be most favorable to their being heard the greatest distance, whether it interfered with anybody else or not. It is almost impossible at the present time to listen to distant stations. Not more than half a dozen come in clearly, because you have to listen to a series of howls, groans, and peanut whistles that ruin reception.

Mr. APPLEBY. Mr. Chairman, will the gentleman yield there?

Mr. CROWTHER. Yes.

Mr. APPLEBY. Does not that come from promiscuous broadcasting?

Mr. CROWTHER. Too many stations on the air, and too many on the same, or very nearly the same, wave length.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ZIHLMAN. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from New York is recognized for five minutes more.

Mr. CROWTHER. The fact that so many stations have taken wave lengths that are not sufficiently separated is the principal reason, and another reason is this: We had an international week in January last year, when the listeners in this country tried to hear European stations. The opportunity was absolutely lost and the time wasted because of the great interference caused by the so-called regenerative sets. England at the beginning of radio development had a little more vision than we had in this country, and they have never allowed the use of single circuit, known among the boys as a "rock crusher" or "blooper." They demanded that sets should be nonregenerative or that there should be another tube or circuit that would block the transmission to the aerial, because when you overdevelop the generation in a radio set your aerial becomes a sending wire as well as a reception wire. A one-tube set poorly operated, with the tube oscillating, will disturb reception on every other instrument within a mile. There are hundreds of thousands of these sets in existence, and they will probably continue to be a source of annoyance for some time to come.

Now, we had 536 stations and 89 wave lengths. Since that time there have been more than 100 stations built, and they have taken up those wave lengths that they thought would be suitable without reference to the Department of Commerce regulations or whether it would interfere with anybody else or not. We have something like 104 new stations, and there are 140 more now in course of building and preparation in this country.

A great deal of fault has been found with the various radio bills that have been introduced. I do not know that I have much criticism of them. There has always been expressed here the idea that somewhere, hidden in the language, there was something of trust influence; that somebody was going to exert a tremendous influence and own the whole thing—own the air. The air is about as free as it can be. It is full every night, and there are so many broadcasting stations that when you listen it sounds like a veritable Tower of Babel, where you can discern neither language nor music. The White bill is, to my mind, the best bill, but both measures need some pruning. The Dill bill carries five commissioners at \$10,000 a year. There is no more need of five commissioners at \$10,000 a year to regulate the art of radio than there is for a cat to have nine tails in addition to its proverbial nine lives. It can be done in the Department of Commerce.

Mr. DAVIS. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. DAVIS. The gentleman is aware of the fact that the Department of Commerce has 41 inspectors now?

Mr. CROWTHER. Inspectors have specified duties to perform. I am speaking of the establishment of regulations and the allocation of wave lengths.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. LAZARO. I will say to the gentleman that the Secretary of Commerce, Mr. Hoover, told our committee he thought it was too much power to lodge in one man. He recommends an advisory commission at a per diem to be paid them when they meet.

Mr. CROWTHER. I think there is enough capability and masterfulness among the present employees of the department to attend to this work.

Mr. LAZARO. The gentleman understands, of course, that radio is in its infancy, and that we must be absolutely sure that every section of the country is given a square deal.

Mr. CROWTHER. Oh, yes. There are geographical problems that enter into the matter of wave-length distribution.

Radio has been a perfect godsend to the blind, the crippled, and those who are confined to their homes or in hospitals.

It carries cheer to the lighthouse keeper, and its ability to reach out into the ether equips the sailing masters of the great ocean liners with a new degree of confidence.

It carries the church choir to the bedside, and the prayer and the sermon to the listener in the wilderness, as well as in the great cities.

Mr. Chairman, I earnestly hope the conferees will soon report to the House and that we may have immediate action for the relief of an industry that is menaced with destruction. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. ZIHLMAN. Mr. Chairman, I ask for the reading of the bill for amendment.

The Clerk read as follows:

[H. R. 15668, Sixty-ninth Congress, second session]

A bill authorizing the acquisition of a site for the farmers' produce market, and for other purposes

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to acquire by purchase or condemnation a site for the farmers' produce market, and for this purpose there is hereby authorized to be appropriated a sum not to exceed \$800,000, to be paid in like manner as other appropriations for the expenses of the government of the District of Columbia: *Provided*, That the said commissioners are further authorized to close as a street and to use for the purposes of this act such portion of any public street adjacent to or within such site as an addition thereto as, in their judgment, the public interests will permit: *Provided further*, That no property owner shall thereby be deprived of egress from or ingress to his property: *And provided further*, That after the site herein authorized has been acquired, the square now occupied by the farmers' produce market shall be vacated by the District of Columbia.

Mr. CRAMTON. Mr. Chairman, I desire to offer an amendment. I have consulted the gentleman from Virginia [Mr. MOORE], and I hope the gentleman from Maryland [Mr. ZIHLMAN] will accept it.

Mr. BLANTON. Where is that?

Mr. CRAMTON. In line 5, page 2, is the word "agress." I had not seen it before. I find it is not in the dictionary in that form. There is, however, a word "agress," to go forward, but that is not what is here intended. The word should be "egress." I move to strike out "agress" and insert "egress."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 5, strike out the word "agress" and insert in lieu thereof the word "egress."

Mr. BLANTON. Mr. Chairman, the gentleman from Michigan ought to clear the chairman of this committee, the gentleman from Maryland [Mr. ZIHLMAN], from this error, because such bills as this are always specially prepared in the office of the District Commissioners by the District Commissioners and are sent to the chairman for introduction and passage, and when errors like this appear in them they are errors of the District Commissioners' office, and not of the gentleman from Maryland.

Mr. LAGUARDIA. Mr. Chairman, I would like to ask the chairman what the purpose is in this bill of giving egress from and ingress to an owner's property? Is that to be a private right of way or a public right of way and is private property to be shut off entirely by the property to be acquired?

Mr. ZIHLMAN. I think the bill itself makes that clear. It says such portion of any public street adjacent to or within such site. In other words, they could not close a public street under the authority given by this act if it prevented the egress and ingress of anybody to their property.

Mr. LAGUARDIA. I have had some experience with this very thing. If it is the purpose to acquire this property and build on it and the bill provides that no one shall be shut off from their right of egress and ingress then the District or the Government is going to be liable for heavy damages. Why can not that be provided for in the acquisition of the property and giving an easement to the original owner?

Mr. ZIHLMAN. I will say to the gentleman that for this proposed market site there have been three sites suggested in various parts of the city by the National Capital Park and Planning Commission. One of these sites is known as the Eckington site, the other as the mid-city site, and the other as the South Washington site. One of the sites under consideration adjoins the Baltimore & Ohio Railroad, and between First Street NE. and the Baltimore & Ohio Railroad there is a short street running from First Street up against the embankment of the Baltimore & Ohio Railroad. It is proposed in this bill to give authority for the closing of blind streets running through this property or adjacent thereto.

Mr. LAGUARDIA. I understand that, but when you close a street you close it; you either close it or you do not. Is this to be a wholesale market or a retail market?

Mr. CRAMTON. Might I suggest it is not that we are to acquire some private property, but it is property which the Government already owns. It is a street, and we give the commissioners authority to close that street in their discretion and make such use of it as their discretion approves.

Mr. LAGUARDIA. That is clear.

Mr. CRAMTON. With this one limitation, that no property owner shall thereby be deprived of egress from or ingress to his property. The commissioners can not close a street where it would result in a denial of egress from or ingress to other property.

Mr. LAGUARDIA. Then if they do that they will have to tunnel or find some way of providing a means of communication for any who may own property.

Mr. CRAMTON. They can not deprive the owner of private property of accessibility to his property.

Mr. ZIHLMAN. As I understand it is a limitation on what they can do in the way of street closing under the authority given in this bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word in order to ask a question. This bill does not in any way change the present fiscal relation that exists between the Government and the District of Columbia with respect to the manner of appropriations?

Mr. ZIHLMAN. In no way, I will say to the gentleman. That is my honest opinion.

Mr. BLANTON. The present \$9,000,000 lump sum applies to this bill the same as to other appropriations?

Mr. ZIHLMAN. That is my understanding of the language.

Mr. BLANTON. Then I shall not offer any other amendment.

Mr. ZIHLMAN. I thank the gentleman.

The CHAIRMAN. Without objection, the bill will be laid aside with a favorable recommendation.

There was no objection.

HOWARD UNIVERSITY

Mr. ZIHLMAN. Mr. Chairman, I call up Senate bill 4445, a bill amending the act relating to the acquisition of land for the Howard University.

The CHAIRMAN. The gentleman from Maryland calls up a bill which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes," approved June 7, 1924, is hereby amended to read as follows:

"Sec. 3. That the Secretary of War is hereby authorized and directed to convey to the trustees of the Howard University a triangular plot of land now included in McMillan Park and situated between Fairmont Street, Fifth Street, and the McMillan Park Reservoir at the price originally paid by the United States for said property, subject to such terms and conditions as may be prescribed by the Secretary of War."

Mr. ZIHLMAN. Mr. Chairman, this bill simply changes one word in the existing law. It changes the word "reconvey" to "convey."

The Clerk read the bill for amendment.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent that the bill be laid aside with a favorable report.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

OPENING OF NEW STREET FROM GEORGIA AVENUE TO NINTH STREET

Mr. ZIHLMAN. Mr. Chairman, I call up the bill (S. 2043) to authorize the opening of a street from Georgia Avenue to Ninth Street NW., through squares 2875 and 2877, and for other purposes.

The Clerk read the bill, as follows:

[S. 2043, Sixty-ninth Congress, first session]

Be it enacted, etc., That under and in accordance with the provisions of subchapter 1 of Chapter XV of the Code of Law for the District of Columbia, within six months after the passage of this act, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the Supreme Court of the District of Columbia a proceeding in rem to condemn the land that may be necessary to open a street, approximately 80 feet in width, from Georgia Avenue to Ninth Street NW., to include all of lots 895, 898, 896, 899, 927, 925, 923, 928, 882, 883, and 884 in square 2875, and the south 80.84 feet front by full depth of lot 931 in square 2877: *Provided*, That of the amount found to be due and awarded by the jury in said proceeding as damages for, and in respect of, the land to be condemned for said street opening, plus the cost and expenses of the proceeding hereunder, such amount shall be assessed as benefits by the jury against the Washington Railway & Electric Co. and the Capital Traction Co., respectively, in such proportion as the jury may find said companies to be benefited by the opening of said street, which said assessment shall be valid and subsisting liens against the franchises and properties of said railway companies and shall be a legal indebtedness of said companies in favor of the District of Columbia; and the said lien or liens may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of said District or by any lawful proceeding; and such amount will be assessed by the jury as benefits, and to the extent of such benefits, against the lots, pieces, or parcels of land on each side of said street and against any and all other lots, pieces, or parcels of land which the jury may find will be benefited by the opening of said street under the provisions of said subchapter 1 of Chapter XV of the Code of Law for the District of Columbia.

Sec. 2. That there is hereby authorized to be appropriated entirely out of the revenues of the District of Columbia an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto, and for the payment of the amounts awarded as damages, and the assessments for benefits, when collected, shall be covered into the Treasury of the United States to the credit of the revenues of the District of Columbia.

Sec. 3. That whenever in the judgment of the Public Utilities Commission of the District of Columbia it is deemed in the public interest, the said Washington Railway & Electric Co. shall be authorized and required to construct the necessary tracks and to make the necessary connection for the purpose of operating its cars by the underground electric system over and along the street provided for herein by double tracks from the tracks in Georgia Avenue to the tracks in Ninth Street and Florida Avenue NW.

Sec. 4. That the construction herein authorized shall be completed and cars operated over the same within six months from the date the said Washington Railway & Electric Co. is ordered by said Public Utilities Commission to construct tracks and make connections as provided in section 3 of this act; that coincident with the operation of cars over the connecting route provided for herein, the Washington Railway & Electric Co. shall cease to operate cars over the tracks in Florida Avenue between Seventh and Ninth Streets NW., now jointly used by said company and the said Capital Traction Co., and shall abandon the use of its tracks in Georgia Avenue from Florida Avenue north to the connection at the street provided for herein: *Provided*, That the Public Utilities Commission of the District of Columbia may authorize the use of said abandoned tracks whenever in its judgment such use may be necessary in the public interest.

Sec. 5. That if by reason of the discontinuance of the use in common of the tracks in Florida Avenue between Seventh and Ninth Streets NW. by the Washington Railway & Electric Co. and the Capital Traction Co. remuneration may be due to either of said companies by the other, the terms of such remuneration shall be mutually agreed upon, or in case of disagreement the remuneration shall be determined by the Public Utilities Commission of the District of Columbia, which is authorized and directed to grant a hearing to the interested parties and to fix the terms of said remuneration.

Sec. 6. That the construction herein authorized shall be in accordance with plans to be approved by the said commissioners.

Sec. 7. That the said Washington Railway & Electric Co. shall have the same rights, powers, and privileges over and respecting the connecting route herein provided for that it now has or hereafter may have by law over and respecting its other routes, and be subject in respect thereto to all the other provisions of its charter and of law.

Sec. 8. That Congress reserves the right to alter, amend, or repeal this act.

Mr. ZIHLMAN (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the bill for amendment.

Mr. ZIHLMAN. Mr. Chairman, I move that the committee do now rise and report the bills H. R. 10355 and H. R. 15068 with amendments and the bills S. 4445 and S. 2043 without amendment with the recommendation that the amendments be agreed to and the bills as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore [Mr. TILSON] having resumed the chair, Mr. DOWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 10355) to authorize the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum and the bill H. R. 15068, a bill authorizing the acquisition of a site for the farmers' produce market, and for other purposes, and had directed him to report the same back with amendments, with the recommendation that the amendments be agreed to and the bills as amended do pass; and had also directed him to report to the House that the committee had also had under consideration the bill S. 4445, an act to amend the act entitled "An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes," approved June 7, 1924, and the bill (S. 2043) to authorize the opening of a street from Georgia Avenue to Ninth Street NW., through squares 2875 and 2877, and for other purposes, and had directed him to report the same back to the House, without amendment, with the recommendation that the bills do pass.

NURSES' HOME FOR COLUMBIA HOSPITAL

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that the bill (S. 4393) to authorize the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum be substituted for the bill H. R. 10355.

Mr. EDWARDS. Mr. Speaker, reserving the right to object, what is that bill?

Mr. ZIHLMAN. It relates to the Columbia Hospital for Women and Lying-in Asylum and is the bill just considered and adopted by the committee.

Mr. CRAMTON. Mr. Speaker, as I understand it, the Senate bill is now in the Committee on the District of Columbia. The request would have to make that fact clear and include discharge of the committee from its consideration.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent that the Committee on the District of Columbia be discharged from the further consideration of the bill S. 4393 and that it be substituted for the bill H. R. 10355, which has just been considered by the Committee of the Whole House on the state of the Union. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read the title of the bill.

The bill (S. 4393) was ordered to be read a third time, was read the third time, and passed.

A similar House bill was laid on the table.

FARMERS' PRODUCE MARKET—HOWARD UNIVERSITY—OPENING OF NEW STREET, GEORGIA AVENUE TO NINTH STREET

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the amendments to the remaining bills which have been reported by the Chairman of the Committee of the Whole House on the state of the Union to the House be considered as having been agreed to and the House bills be considered as having been engrossed, read a third time, and passed, the Senate bills read a third time and passed, and motions to reconsider laid on the table.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the amendments to the bill H. R. 15068 be agreed to and the bill engrossed, read a third time, and passed; and that the bills S. 4445 and S. 2043 be read a third time and passed. Is there objection?

There was no objection.

A motion to reconsider the votes by which the several bills were passed was laid on the table.

The bill H. R. 12802, relative to Howard University, was ordered to be laid on the table.

ESTATES OF LUNATICS

Mr. ZIHLMAN. Now, Mr. Speaker, it is my purpose to call up a number of bills reported from the Gibson committee which, after investigation, had under consideration as to the commitment of lunatics and the appointment of guardians and trustees. I ask unanimous consent that general debate on these bills may be limited to 30 minutes, one-half to be controlled by the gentleman from Texas and one-half by myself.

The SPEAKER pro tempore. Are the bills on the Union Calendar.

Mr. ZIHLMAN. They are on the House Calendar.

The SPEAKER pro tempore. There is no general debate on a House Calendar bill. The gentleman has control of an hour and he can yield time. If the gentleman asks unanimous consent that they be considered in the House as in Committee of the Whole—

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that these bills be considered in the House as in the Committee of the Whole.

Mr. CRAMTON. Will the gentleman indicate what the four bills are?

Mr. ZIHLMAN. The four bills I have referred to are H. R. 12109, relating to the estates of lunatics; H. R. 12110, relating to the accounts of guardians; H. R. 12217, relating to the appointment of trustees and committees; H. R. 12218, amending the code relating to the appointment of guardian.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent that the four bills mentioned by him may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. ZIHLMAN. Now, I call up the bill (H. R. 12109) to amend section 115 (b) of subchapter 3 of chapter 1, District of Columbia Code.

The Clerk read the bill, as follows:

[H. R. 12109, Sixty-ninth Congress, first session]

Be it enacted, etc., That section 115b of subchapter 3 of chapter 1 of the District of Columbia Code be amended so as to read as follows:

"SEC. 115b. Estates of lunatics: The said court shall have full power and authority to superintend and direct the affairs of persons non compos mentis, and to appoint a committee or trustees for such persons after hearing the nearest relatives of such person, or some of them if residing within the jurisdiction of the court, and to make such orders and decrees for the care of their persons and the management and preservation of their estates, including the collection, sale, exchange, and reinvestment of their personal estate, as to the court may seem proper. In the event that the person has no known relative residing within the jurisdiction of the court, then the court shall appoint some disinterested person to act as guardian ad litem for such person in the proceedings for the appointment of a committee or trustee. The committee or trustee shall account for all profit and increase of the estate of such person and the annual value thereof and shall be credited for taxes, repairs, improvements, expenses, and commissions not exceeding 5 per cent of the principal of the personal estate and on the annual income of the estate.

Mr. BLANTON. Mr. Speaker, I ask recognition on the committee amendment. I merely want to make it clear, Mr. Speaker, in the debate on this bill that by the language of this committee amendment the remuneration allowed the committee shall not exceed 5 per cent of the amount "collected and disbursed"; that under that language it means not that he shall receive 5 per cent on everything collected and an additional 5 per cent on what is disbursed after he disburses it. It does not mean that he shall receive 5 per cent on the sum collected and the sum disbursed. I will ask the gentleman from Vermont if that is not true?

Mr. GIBSON. It is the idea of the subcommittee and of the committee that he should receive 5 per cent—

Mr. BLANTON. Not 5 per cent on the sum collected, but only on what he collects and disburses.

Mr. GIBSON. Only one 5 per cent.

Mr. BLANTON. Suppose he received \$10,000 and disbursed nothing. He has not received 5 per cent on the \$10,000. Because if that is what the gentleman understands, I am against the amendment. That is what has been going on in the District of Columbia. That is what we are intending to stop, and unless we stop that, the bill is ineffectual. Just because a committee collects \$10,000 and puts it in the bank he is not entitled to have the court immediately allow him a fee of \$500.

Mr. GILBERT. The language proposes just what the gentleman wants to prevent. If he collected \$10,000 he could not get 5 per cent until he disbursed it. He must collect and disburse. There is no such thing as collecting without disbursing.

The committee has to disburse it to somebody, and when he has both collected and disbursed, he gets 5 per cent.

When you say 5 per cent of the amount collected and disbursed, he must do both. This language is an exact copy of the law of Kentucky. I used that in drafting this amendment because I was a judge of a court there in Kentucky before coming here, and this is the law of many States on that subject. It has a well-defined meaning, as I have just given it to the House. The courts have uniformly held this language to mean they must both receive and disburse to get the 5 per cent.

Mr. BLANTON. Does the gentleman from Vermont [Mr. GIBSON] agree to that?

Mr. GIBSON. Yes.

Mr. BLANTON. The gentleman from Vermont, who is the chairman of the subcommittee, agrees to that construction of this bill?

Mr. GIBSON. Yes; that was the intention.

Mr. BLANTON. The intention of the committee?

Mr. GIBSON. Absolutely.

Mr. BLANTON. And the gentleman from Maryland [Mr. ZIHLMAN], who is the chairman of this committee reporting this bill, agrees to that construction?

Mr. ZIHLMAN. Yes.

Mr. BLANTON. That the money must be received and disbursed before any 5 per cent is allowed?

Mr. ZIHLMAN. That was the intent of the committee, and if this bill does not do that we ought to amend it.

Mr. GILBERT. This language has been held by the courts to be the language to do that very thing.

Mr. BLANTON. The gentleman from Kentucky knows the necessity of letting this court down here know what we really intend and what we mean.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. KING. The gentleman understands, of course, that a court in construing and trying to get at the legislative intent never gathers the different statements made by the legislative body for that purpose, but its meaning is always drawn from other sources. I think like the gentleman from Texas that there is grave doubt about that.

Mr. BLANTON. We ought to make it absolutely clear, and especially so, unless the gentleman from Vermont [Mr. GIBSON] sees fit to properly revise his remarks in the beginning, because if he does not there might be a misconception placed on this language by the court here. We have a hard time holding them in line on this, as my friend from Kentucky knows.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. MOORE of Virginia. Mr. Speaker, of course, I recognize the force of what has been said by my friend from Kentucky [Mr. GILBERT] that in construing language of this sort recourse is commonly had to the decisions of the courts in construing the same language, but nevertheless, unless it can be assumed that the courts are uniform, there might be a doubt. There might be room here left for question. In other words, it is conceivable that some court may take this language and say that 5 per cent shall accrue on collections and an additional 5 per cent on disbursements. We desire to avoid that. I ask the gentleman if this language would not make the intention perfectly clear—

five per cent of the amounts collected, if and when disbursed.

Mr. BLANTON. I think it would, but I think we could make it even clearer than that by striking out the period and inserting a semicolon, with the following proviso:

Provided, That only one such 5 per cent fee be allowed, and that it not be allowed until the money is both collected and disbursed.

Mr. MOORE of Virginia. If I may suggest to the gentleman, I think we may save that verbiage by using the language that I have indicated.

Mr. BLANTON. I wish the distinguished gentleman from Virginia would offer his amendment, which I agree to, and I shall not offer one.

Mr. GIBSON. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GIBSON. The gentleman from Texas and the gentleman from Vermont are in perfect accord as to the object to be accomplished.

Mr. BLANTON. I am glad to hear that.

Mr. GIBSON. We want to do away with conditions now existing.

Mr. BLANTON. With this double-fee system?

Mr. GIBSON. Yes. The committee will agree to any amendment that will accomplish that.

Mr. BLANTON. And I think the amendment suggested by the gentleman from Virginia is an excellent one, without casting any aspersion upon the position taken by the gentleman from Kentucky [Mr. GILBERT].

Mr. MOORE of Virginia. I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia: Page 2, line 17, after the word "collected," insert the word "for"; and on line 17, after the word "and" insert the word "when," so that the line as amended will read: "exceeding a commission of 5 per cent of the amounts collected if and when disbursed."

The SPEAKER pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I offer the following as a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA as a substitute for committee amendment: Insert "The court shall allow compensation for services rendered by the committee as follows: Five per cent on the first thousand dollars collected and disbursed, 2½ per cent on the next \$2,000 collected and disbursed, and 1 per cent on each additional thousand dollars collected and disbursed."

Mr. LAGUARDIA. Mr. Speaker, this bill comes before us somewhat suddenly. We have not had access to the law fixing the general system of fees. In New York City we have a graduated system in the same proportion as I have suggested. This would not only protect small estates but it would also protect large estates. As the gentleman from Texas [Mr. BLANTON] suggests, very often the only labor devolving upon a committee is the receiving of a check and depositing it and paying it out, when he is relieved of his responsibility.

Now, as to the initial expense of opening books and keeping the accounts of the committee, on the first \$1,000, 5 per cent is allowed, and on the next \$2,000, 2½ per cent, and if the estate is large 1 per cent for collection and disbursement. That seems to me to be sufficient to cover compensation for the services rendered. If the committee is compelled to go into court and sue or render extraordinary services, he can then apply to the court for special compensation, and the court will allow it. I believe that in fixing the rate at 5 per cent in the case of a large estate it would involve a large fee. I believe we would be justified in limiting it because most of these cases are soldiers' cases. A graduated scale should be fixed and adopted.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SCHAFER. That would make it mandatory; 5 per cent for the first amount?

Mr. LAGUARDIA. One thousand dollars.

Mr. SCHAFER. What if some of these judges came down to earth and allowed only a reasonable guardian fee and want to allow less than 5 per cent?

Mr. LAGUARDIA. It is 5 per cent on the first thousand dollars. That is a reasonable fee.

Mr. BLANTON. Under this amendment a judge would not have to allow more than 2 per cent if he saw fit. It would depend entirely on the circumstances of a particular case. We allow not more than 5 per cent of the amount collected and disbursed.

Mr. LAGUARDIA. Considering the experience we have had in recent months, I think the compensation should be placed on a graduated scale.

Mr. BLANTON. I think our courts are operating just now on a more reasonable basis. I think the committee amendment is better than that of the gentleman from New York.

Mr. GIBSON. Mr. Speaker, in reference to the New York schedules I have a synopsis of them here. In New York 5 per cent is allowed on receipts and disbursements up to \$2,000, and 2½ per cent for receiving and paying out additional sums up to \$20,000.

Mr. LAGUARDIA. I knew we had 5 per cent and 2½ per cent. I did not have the exact figures. From memory I came as near to it as I could. I think we should have a graduated scale, and that would answer all purposes and protect the small estates as well as the large.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. LA GUARDIA] to the committee amendment.

The question was taken, and the amendment to the amendment was rejected.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the House bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was ordered to be laid on the table.

ADDRESS OF HON. WILLIAM E. BORAH

Mr. SMITH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by Senator BORAH, of Idaho.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

Mr. LA GUARDIA. Reserving the right to object, is it on the subject of Nicaragua?

Mr. SMITH. No. His subject was Corruption in Political Campaigns and Law Enforcement.

Mr. LA GUARDIA. I am sorry.

Mr. BLANTON. That is one of the finest speeches that the gentleman from New York ever read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. SMITH. Mr. Speaker, at the banquet given by the Committee of One Thousand for Law Enforcement at the New Willard Hotel in this city, Thursday evening last, the senior Senator from my State, Hon. WILLIAM E. BORAH, delivered a very able and eloquent address on the subject of corruption in political campaigns and law enforcement which, because of his long service in the Senate and the high position he holds in the councils of the Nation, should be preserved in the CONGRESSIONAL RECORD.

The address of Senator BORAH is as follows:

CORRUPTION IN POLITICAL CAMPAIGNS AND LAW ENFORCEMENT

We are going to hold a great national referendum in 1928. This may or may not be a matter of comfort to those who have recently disclosed an uncommon interest in certain kinds of referendums. In that year the American people will choose a President, every Member of the House of Representatives, and one-third of the Senate. The great political parties will put forth their platforms and make their appeal to the voters. It is the most impressive exertion of political power upon the part of the people that takes place in any country or under any flag. There is no finer exhibition of popular rule, and I doubt if there can be a more accurate survey of public opinion than may be had in the choosing of a Chief Magistrate. If the issues are framed in sincerity and the political parties deal in candor, I know of no better method to test the sentiment or record the judgment of the American people. It is the way contemplated by the framers of our Government, it harmonizes with the practice of more than a century, and its accuracy is such that no man need shrink from the test who believes in his principles and has confidence in the intelligence of the people. It is in this way that the great issues of the past have been settled. It was this tribunal which sat in judgment upon the alien and sedition laws, the bank of the United States, the extension of slavery, the preservation of the Union, and all the great problems, the settlement of which is now a matter of history. It is a source of great pride as we look back and of assuring confidence as we look forward that in these great contests the final judgment of the American people has been singularly free from error. Thomas Jefferson, who knew more about politics and people combined than any man of his time, if not all time, was never weary of saying that a free people should return from time to time to the consideration of first principles. It seems to me it would be well to have the judgment of the American people upon some of those first principles in 1928.

We are now passing through—I hope we are passing through—a period of unparalleled corruption, direct or consequential, in American politics. The employment of fabulous sums of money for the purpose of controlling elections and the astounding malfeasance in public office have made our days as days of prominence in perverted public service.

The conditions are serious enough, and our treatment of the evil bids fair to be correspondingly hesitant and ineffective. We seem prepared to say to the American people: We have succeeded in exposing a few individuals who have been guilty of exceptional misconduct and we will punish them as a warning for all men who would tarnish the purity of our politics. It is proper to deal with individuals, but it would be nothing less than a surrender in the fight for clean

government to stop there. The problem can not be solved by dealing with individuals alone. The thing with which we have to contend is a system—a sordid system—of politics, which, if continued, will in time seriously affect our whole fabric of government. I maintain our present deplorable and humiliating situation is the legitimate fruit of the practice of the last 30 years—the inevitable harvest of our own deliberate and persistent planting.

A gentleman in Chicago interested in certain lines of business contributes heavily to a friend's campaign who is in public position to serve his interests. This, sir, is fundamentally the basis of all these large campaign contributions. It was and is no different, bad as it is and indefensible as it is, from accepting contributions of those vitally concerned with tariff duties, the reduction of income taxes, the enforcement of trust laws, and like matters, as we are constantly doing in every political campaign. We continue to tolerate this practice because, during the last 30 years, we have been inured to the program. But it is an insult to the intelligence and a challenge to the sense of decency of the American people to tell them that such a practice does not in the end bend their Government in the direction of and to the service of selfish and special interests—bend it to the benefit of the few and to the injury and disparagement of the many.

The man who has been singled out for unfavorable comment from one end of the country to the other because of the unusually large sums of money he collected for use in the Pennsylvania primary campaign is the same gentleman who has been selected in many national campaigns to raise large sums of money, and from the same people and for exactly the same purpose.

I am familiar with his testimony and his work in both capacities, and I find he went to the same class of contributors and doubtless with the same pledges in both State and national campaigns. It must have been a matter of some surprise to this veteran of many well-fought campaigns to find that his services were no longer appreciated and that there was a difference in morals and in law between raising finances in a State for a primary and in a Nation for the election of a national ticket. Let us look this matter square in the face. We have got to go farther and dig deeper if we are going to get at the roots of this evil. There is no difference, it seems to me, in morals in taking money from those interested in electing a Senator who, as they believe, will favor their interests than taking money from the same people for the same purpose to secure the success of a party in national campaigns. I am not nearly so much concerned about direct and specific acts of corruption, such as the buying of a vote or the buying of an individual public officer, as I am in that method which in a thousand subtle ways affects legislation and public administration. The people are interested in and more permanently affected by the laws which we pass than by the defalcations of an individual. The question of public concern is: Do the laws enacted express the convictions of men free of all bias, obligations, conscious or unconscious, are they framed in the interests of the public, or are they framed in the interests of those who more than all others contribute to the successful financing of the party? That is the problem which is really here, a problem which I trust is going to receive the consideration of the American people.

It is urged by some, and no doubt with sincerity, that if we repeal the primary laws this will clean the Augean stables. The thing is not so simple. Is there no corruption in our politics save in the primary? Have not the most astounding derelictions been elsewhere? One would suppose that the body politic were entirely free from the leprosy of venality save as to the primary. These primary expenditures are but items in the general indictment which stands against us. Whatever may be the merits or demerits of the primary, its abandonment would not solve, or even start to solve, this problem. As a matter of fact, there never was and never can be a more available and efficient instrument for selfish and sinister politics than the modern political convention.

Corruption seeks to concentrate power. It can deal most effectively where it can deal in secret and with a few. You will recall that in 1920 there was a deliberate and well-organized effort to buy the nomination for the Presidency. Those who were in that convention will never efface from their memory its sordid, covetous atmosphere. We are still dealing with matters which were hatched in that convention. Let the machine be what it will, whether convention or primary, it will do the service of the system. There were no primaries in the days of Walpole, when the cashier is said to have stood in the gangway and paid off the members of Parliament for their votes. There were no primaries in the days of George III when elections were controlled and members managed through royal favors and money. No; the primary is not the scapegoat. It may go into the wilderness, but our sins will remain. The prevalence of money in our politics springs from a more profound and more persistent cause. Its great underlying cause is the fact that the Government is coming more and more to deal with and vitally affect all the private concerns, business and financial, more and more to control and shape the means and methods by which vast wealth may be acquired. Inevitably, under such circumstances there will be found those who seek to control the machinery which is supposed to control them. Inevitably there will be those

also who go in that direction for help and are willing that their campaigns be paid for by those most deeply interested. Men do not buy elections for amusement. They seek to control elections in order that they may control legislation and policies. This is a problem with which we have to deal. It is one of the problems growing out of the times and conditions in which we live. Its solution will go far toward answering the question still unanswered: Will democracy be able to cope with the problem of modern life?

Compared with the problems which these conditions present, compared with the task of insuring to the people of this country clean politics and clean government, of keeping the road to public honor open to merit and character, all other questions seem subordinate. Without a clean ballot and a clean government, there can be no democracy. If the popular will be thwarted through the interposition of the purchasable few, or be betrayed by those who have been trusted, democracy becomes first the tool of the selfish and the unscrupulous and at last the plaything of the mob. Economy, tax reduction, tariff, and kindred subjects, by no means unimportant, are nevertheless incidental to the obligation of keeping the ballot free from the dominance of money.

These questions which have of late occupied our attention in campaigns have their place. But we must realize that there is something more. Man can not live by bread alone. Business initiative and business organization are not to be disparaged; but that which makes for stability of institutions, for permanent national wealth and power are clean government, clean politics, and impartial administration of justice, and, last but not least, law-abiding, clean, incorruptible citizens. We have learned in these days that laws do not of themselves protect property. We have learned that constitutions do not of themselves guarantee liberty or insure justice. We know, or ought to know, that title to property and security to life depend at last upon clean politics—in other words, upon the influence and forces which dominate politics. Political parties are quasigovernmental institutions. It is by means of parties that responsibility is attempted to be fixed for legislation, for administration, and for national policies. It seems a defect in our system to permit such quasigovernmental institutions to go about begging or accepting great gifts and donations, thereby incurring obligations, express or implied—gifts and donations which if given to an individual in public office would be denounced as a bribe, as the worst form of corruption. Yet no public officer is more nearly related to the public interests and by no means so powerful in shaping public affairs as a great political organization. It must be a sound maxim of government that institutions which control legislation, direct administration, and sustain or defeat national policies should not be financed by private capital. It would be infinitely better for the people of this country, and it would come back to them a thousand times in the benefits of a clean public service, to have these political parties treated as quasigovernmental institutions to the extent at least of the Government taking care of the actual legitimate cost of a campaign rather than to encounter the evils of this private financing. When we contemplate the future, with its stupendous business organizations and the natural dominancy of wealth, it seems utterly ruinous to consider that our political parties are to continue to be the recipients of the gifts and donations of great business interests. And, lest I be misunderstood, I do not regard the business interests more to blame than political parties.

The people have a right to ask the political parties and the leaders how long we are going to accept locally or nationally contributions from those known to have special interests in or are directly affected by legislation and the policies of the Government. If this policy continues, legislation and administration will more and more record the fact. If we are not willing to change this practice, statutes passed in the interest of clean elections will be but of little avail, and ambassadors, judgeships, marshalships, tariffs, trust legislation, and the enforcement of trust laws will more and more record the influence of the practice. If this system is to be continued, the expelling of a Senator now and then, however thoroughly justified the proceedings of themselves may be, will in the end accomplish nothing more than satisfying for a season the righteous indignation of the people.

What program are the political parties going to present to the people on this important question in 1928? The time has come to deal with it in a national way and with all the moral force of the American people. The people will not be content, in my judgment, with the dull generalities of the ordinary political platform. When the power of the people over their government is involved they will not be satisfied with the pious declarations of their candidates denouncing corruption or the usual display of platitudinous hypocrisy that if our party gets in it will clean out the rascals. This problem can not be solved by resolutions in a political convention. It can only be solved by the thorough arousing of public opinion and by the absolute renunciation of the practices and policies which have so long obtained and the dreadful consequences which are all about us. It is the one great problem growing out of business and politics, one of the searching questions put up to us in a new form and in an aggravating way never before experienced by any people. Athens could not solve the problem.

The dying Demosthenes sent back his plea from the grave in vain. Rome could not solve the problem—even as Cicero exposed with its evils and its widespread ramifications the people already infected were paying the forfeiture of their sins. But England has to a marked degree solved the problem. She has done so because of her sturdy and virile citizenship and because the great leaders came finally to understand that political parties had to make the renunciation. We have different elements here to contend with and different factors, and all upon a more stupendous scale. But we, too, can solve the problem. We have the sturdy, virile, loyal people, and they will respond to the call of duty. I am in favor of testing the judgment of the American people on this, the first principle of democracy.

My friends, may I invite your attention to another "first principle" to which under the admonition of the great political philosopher, Mr. Jefferson, and particularly under the circumstances and conditions now obtaining, we may profitably recur in 1928. We have lawlessness of individuals and enough in this country. It has been a subject of deep interest, if not of alarm, to journalists, and publicists and laymen alike. But the most significant and startling feature of this unwelcome phase in our national life is the proposal to elevate lawlessness into a principle of government and clothe it with all the sanctity of an inalienable right. If we pierce through the metaphysical maze which envelops this contention, it will be found to amount to simply this: If I do not like a law, it is my patriotic duty to disregard it, to break it, and to encourage all other people to do likewise.

I am not going to trespass upon your time by going back over the history of the adoption of the eighteenth amendment. Neither do I propose to discuss the wisdom or unwisdom of its adoption. That matter was settled according to our theory of government when it was adopted and can not be an issue again until it is proposed to repeal it. It does not elucidate the theme which engages me to-night to discuss it. But there the amendment is, a part of the Constitution, the law of the land, binding every individual, every official, State or national, and striking down of its own force all laws in contravention of its terms. So long as it remains unchanged, no one can legally or morally manufacture or sell intoxicating liquor for beverage purposes anywhere within the wide domain of the United States. So long as this remains a government of law, there are only two things to do, enforce it or repeal it. Those who urge its repeal are acting within their undisputed rights, and as for me, I have no desire to criticize the course which they are taking. It is one of the blessings of free government that people have a right to urge the enactment and the repeal of laws.

But there is a different program proposed and to that I am going to direct attention for a brief moment. It is proposed by political leaders and educators to build up public opinion so as to make the Constitution a dead letter, not repeal it but disregard it. It is proposed to let it stand, and notwithstanding it remains a part of the Constitution, to nullify it, trample it under foot, and that it is contended is a wise and patriotic course to pursue and perfectly sound as a principle of free government.

Let me recur to the arguments and quote the language of those who insist upon this policy. I shall quote at random: "He who obeys a law which is wrong contributes by that to the final debacle, the intensity of which is increased because delayed by that obedience." This is an appeal, first, to lawbreaking as a correct principle of government, and, secondly, a denunciation of obedience to law, the rock foundation upon which republics rest. Who decides that the law is wrong? How do we decide that it is wrong? In a government of order and law that is decided through the processes pointed out in the constitution or the frame work of government. In a government of disorder and violence it is decided as here proposed, by every man taking the law into his own hands. You will readily recall conditions in countries where this vicious principle prevails. They are countries where property is the luxury of the strong, where the voice of the people is silent, and where security of life may be blown away by any faction coming into power.

"If a large number of citizens are convinced that the national prohibition act compels them to live lives of hypocrisy, cowardice, and servility, they will feel no moral obligation to observe the law. On the contrary, they will develop an esprit and morale in the breaking of it in the name of patriotism." Is this doctrine peculiar to a prohibition law? May it be limited in its effect to a prohibition law? If once the poison is put out, can you circumscribe its spread? If a number of citizens feel that our laws of property force them to live lives of servility and abject dependence it is clearly their duty under this doctrine to develop an esprit and morale in breaking down such laws and all in the name of patriotism. There are plenty of people in the world, fortunately not many of them here, who think just that, and these same people who preach the above doctrine call upon us to crush them down as a menace to civilization. Break the law in the name of patriotism! The American system is to repeal the law in the name of patriotism. If you love the principles upon which this blessed Republic is founded, you will seek to obey the law until, according to the processes of government, the people in their wisdom see fit to repeal it. And if it is wrong the people will repeal it, as the people do not want laws which

are wrong in principle. There is no safer judge as to a righteous law than the judgment of the people, that vast mass of intelligence and character upon whom our institutions depend for perpetuity.

"Some people go so far as to say that this nullification of statutes is wrong in practice as well as theory; that the best way to get rid of a law is to enforce it. But the cost of trying to compel obedience to a law which violates the conscience of the considerable minority of the people or the traditional usages and privileges of anything like a majority is usually too great." This is the doctrine put out by a distinguished educator whose business it is to train and direct the minds of American youth. In plain, unadorned language this says that if a considerable crowd can be gathered together, they are perfectly justified in breaking the law, in defying the authorities. The learned professor says nothing about the right and the power of the people to change laws, the right of the people to repeal laws, but assumes that the only way the people can deal with the law is to break it. There is no law upon the statute books which may not be repealed. There is no provision of the Constitution which may not be changed. I want to ask you: What would be the condition of this country in a single fortnight if every law displeasing to a considerable number of people were disregarded, some disregarding one law and some disregarding another. Whose home would be safe? Whose happiness would be secure? How long would we enjoy the blessings of orderly regulated liberty? And why does he speak of a "considerable minority"? If it is good, it is good as a matter of principle, not dependent upon numbers, and just as good for a single individual as for a group.

Again it is said: "The attitude (of those who disbelieve in the law) should be one of acquiescence in and encouragement of the process of nullification." Here is your doctrine. No repeal. No respect for the orderly processes of government, but nullification is the general law-breaking violence. By all means, let's have the judgment of the American people upon this policy. Let's recur to this "first principle" to find what the people think of this doctrine of lawlessness.

But let us turn from these teachings to saner counsel and to somewhat safer leadership. In one of the statements sent out to the country by those who are advocating the doctrine to which I have referred, you will find a sentence to this effect: "The nullification of the fugitive slave law developed men like Abraham Lincoln."

This seems to be a clear statement to the effect that Abraham Lincoln, as to the fugitive slave law, advocated nullification. The very reverse is true—he gave his life for the integrity of the Constitution. As far back as in 1858 he declared in a public speech: "I have always hated slavery." I do not believe you will find among all his letters and public addresses the use of this word "hate," save in connection with the institution of slavery. The word seems never to have passed his lips except when speaking of human bondage. He did hate slavery. But while he hated slavery he was devoted to our institutions and believed in our Constitution. "I have always hated slavery, but I have always been quiet about it until this new era. . . . By the Constitution all assented to it—slavery—in the State where it exists. We have no right to interfere with it, because it is in the Constitution, and we are by both duty and inclination bound to stick by that Constitution in all its letter and spirit from the beginning to the end."

Speaking of the fugitive slave law, he said: "We must not withhold an efficient fugitive slave law, because the Constitution requires us, as I understand it, not to withhold such a law." In one of the most notable occasions in his career he declared: "Our safety, our liberty, depends upon preserving the Constitution of the United States, as our fathers made it inviolate."

It does not seem to me quite fair to quote Abraham Lincoln in favor of nullification, for I take it that no severer test could have been placed upon his loyalty to the Constitution than to place slavery upon the one side and the Constitution upon the other and ask him to choose his course. He chose his course and never faltered. He did not belong to that group of political philosophers who think because a law is wrong that you have a right to defy it, and that because a constitutional provision does not suit your view of righteousness that you have a right to nullify it and trample it under foot.

"The basis of our whole political system is the right of the people to make and alter their constitutions of government, but the Constitution which at any time exists until changed by an explicit and authentic act of the whole people is sacredly obligatory upon all. The very idea of the power and the right of the people to establish Government presupposes the duty of every individual to obey the established Government." Those are the words of one who knew something about republics, for he, more than any other one man, helped to build the only real Republic that has ever existed upon this earth. He led our Revolutionary Army to victory. He presided over the convention which framed the Constitution and he guided our Nation through its first perilous years. He has won the right to speak and to speak to us. He speaks, in my judgment, the true voice of the American people at this hour. He speaks for those principles of government under which we have gathered strength and won glory. If there are those who sincerely believe that it is wise now, at this

time, to engraft upon the doctrine of Washington the doctrine of nullification, the doctrine of personal lawlessness, or group lawlessness, let them put forth their platform and name their candidate.

MUSCLE SHOALS

Mr. HILL of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting a letter written by ex-Chief Engineer of the Army, Gen. Lansing H. Beach, on Muscle Shoals.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HILL of Alabama. Mr. Speaker, under leave granted me I place in the RECORD the letter of Maj. Gen. Lansing H. Beach, former Chief of Engineers of the Army, to Senator LAWRENCE D. TYSON under date of October 15, 1926. I place this letter in the RECORD not only because it contains a wonderful amount of interesting history about Muscle Shoals and gives in detail the story of the Ford offer, but because it tells of the signal service rendered by Col. J. W. Worthington, the distinguished chairman of the Tennessee River Improvement Association, in securing the offer of Henry Ford for Muscle Shoals.

The matter referred to is as follows:

HOTEL PENNSYLVANIA,
New York City, October 15, 1926.

Hon. L. D. TYSON,

United States Senator, Knoxville, Tenn.

MY DEAR SENATOR: I arrived in Washington this week from California, coming here to sail on the *Caronia* to-morrow for Europe.

Since coming here I have read with astonishment and great regret the unfair attack by the Manufacturers Record on Mr. Waldo and the Tennessee River Improvement Association. The thing, however, that surprises and distresses me most is the charge made by Mr. Campbell, manager of your chamber of commerce (of which you are a director), that Mr. Waldo and Colonel Worthington have been working against the interests of the Tennessee Valley.

My interest in the development of the Tennessee River for the upbuilding of the Tennessee Valley has not grown less but even more since I retired as Chief of Engineers and was in charge of the building of the Wilson Dam and the survey of the Tennessee River.

As my stay in Europe will be indefinite, I do not want to sail without testifying to the loyalty of Messrs. Huston, Worthington, and Waldo, and the fine work of the Tennessee River Improvement Association. I do not know any better way of doing this than to write to you.

During my service as division engineer of the central division, which included the Tennessee River among others, and later as Chief of Engineers, I had an opportunity not afforded to many to find out the loyalty of these gentlemen who are now charged with disloyalty to the Tennessee Valley. They cooperated fully and freely at all times in everything tending toward the improvement of the Tennessee River, and there were occasions on which they greatly assisted the Government in providing data and details for which the Government had no funds available at the time. I many times wished that similar competent and efficient organizations had existed on other rivers.

You can not imagine my astonishment, after all this, at reading these charges and my amazement at the suggestion in the editorial published in the Chattanooga Times that Mr. Huston and Mr. Waldo should resign from the Tennessee River Improvement Association. I can not see how anybody acquainted with the work of the Tennessee River Improvement Association and all that it has accomplished could make such charges.

When I read this statement in the Chattanooga Times about Mr. Huston, it occurred to me that the Chattanooga Times could just as well have suggested that Senator UNDERWOOD resign. Senator UNDERWOOD and Mr. Huston both stand together against the power companies' offer for Muscle Shoals, and stand together for the American Cyanamid Co.'s offer.

As I leave for Europe I want to leave with the people of the Tennessee Valley an expression of my admiration of the splendid fight which the Tennessee River Improvement Association has made and my confidence in the three men who have led it—Huston, Worthington, and Waldo. It was a privilege to enjoy the confidence of these men when I was Chief of Engineers, and it was a great aid to me to have their help. I learned to respect the facts they presented about the Tennessee River, and many times I adopted them.

When I read these attacks made upon these three officers of the Tennessee River Improvement Association, my mind went back to the negotiations with Henry Ford. In the spring of 1921, when I, as Chief of Engineers, sent out invitations to all parties that I could think of who might be interested in making a proposition to the Government for its Muscle Shoals properties, the power companies replied to my invitation to the effect that neither the Government with its own capital nor private capital could afford to complete the Wilson Dam and power development there.

I sent for Colonel Worthington, chairman of the executive committee of the Tennessee River Improvement Association, on April 1, 1921, and

told him that it seemed that I would get no offer for Muscle Shoals. He replied, "Send Henry Ford an invitation." On April 2, 1921, I sent Mr. Ford the following invitation:

HENRY FORD, *Detroit, Mich.*

SIR: 1. The Secretary of War has directed me to ascertain what arrangements can be made to derive a reasonable return upon the investment if the United States completes the dam and hydraulic-power plant at Muscle Shoals, Tennessee River.

2. If you are interested, I would be pleased to discuss the matter with you at this office at the earliest date that may be mutually determined.

3. It is desired to develop the matter and come to a conclusion at as early a date as possible.

Very truly yours,

LANSING H. BEACH,
Major General, Chief of Engineers.

On the 8th of April Mr. Ford's office called me by telephone and stated that Mr. Ford was interested, and on April 15 Mr. Liebold, general secretary to Henry Ford, wrote me the following letter:

Maj. Gen. LANSING H. BEACH,

War Department, Chief of Engineers, Washington, D. C.

MY DEAR GENERAL: On behalf of Mr. Ford, the writer acknowledges receipt of your letter of April 2 and also telephone conversation of the 8th instant.

Inasmuch as Mr. Ford is contemplating a visit to Muscle Shoals with respect to the property in question, he is anxious to have you send a representative out at your earliest convenience. May I have the pleasure of hearing from you in regard to the matter, and oblige?

Very truly yours,

E. G. LIEBOLD,
General Secretary to Henry Ford.

It was impossible for me to go to Detroit to confer with Mr. Ford. Colonel Worthington offered to go, but I explained to Colonel Worthington that I could not give him any official status. He stated that he did not desire any; that the facts about Muscle Shoals did not require any. I therefore wrote Mr. Ford on April 13, as follows:

Mr. E. G. LIEBOLD,

The Ford Co., Detroit, Mich.

DEAR SIR: In response to your telephone inquiry of last week, I have to inform you that it will be impossible for me to come to Detroit to discuss with you the question of utilization of power to be produced by the big dam at Muscle Shoals. As I myself have conducted the negotiations with all the other parties who have displayed an interest in this matter, I do not care to delegate this question to some one else, and it being impossible for me to come, I would ask that you or Mr. Ford, or anyone whom he may designate as his representative, confer with me at this office if you are sufficiently interested to go into the matter.

The improvement of the Tennessee River, both with regard to navigation and water power, has been advocated for several years by the Tennessee River Improvement Association. Mr. J. W. Worthington, one of the vice presidents of that association and chairman of the executive committee, informs me that he will come to Detroit and go over the situation with you. Mr. Worthington is familiar with all the details in the matter and as thoroughly acquainted with every feature of the case as anybody in the country; and while he is not a representative of this office, I believe he can give you such information as will enable you to fully decide as to whether you wish to come here and go over the matter with me or not.

I am sending a copy of this letter direct to Mr. Ford, to cover the contingency that I did not understand your name correctly over the telephone. Mr. Worthington will bring a copy of the letter with him as an identification.

Very truly yours,

LANSING H. BEACH,
Major General, Chief of Engineers.

(Copy mailed Mr. Henry Ford, Ford Co., Detroit, Mich., and copy handed Mr. Worthington to take in person to Mr. Liebold as means of identification.)

Colonel Worthington was not very well and did not leave for Detroit promptly, and I received the following letter from Mr. Liebold, dated May 18:

Maj. Gen. LANSING H. BEACH,

*Chief of Engineers, War Department,
Washington, D. C.*

MY DEAR GENERAL: The writer has been waiting for the past few weeks with regard to hearing from Mr. Worthington, one of the vice presidents of the Tennessee River Improvement Association. Thinking the matter has undoubtedly been overlooked, I am again calling your attention thereto, as Mr. Ford shortly contemplates being in the vicinity, and if you still feel like having him become interested in the matter as mentioned in your letter of April 2, may we not have a reply at your convenience?

Very truly yours,

E. G. LIEBOLD,
General Secretary to Henry Ford.

I replied to this letter by telegram on May 23, as follows:

E. G. LIEBOLD,

General Secretary to Henry Ford, Dearborn, Detroit, Mich.:

Colonel Worthington been ill. Can you see him in Detroit next Monday 30th, and will Mr. Ford be there then or does your letter mean that Mr. Ford contemplates being in Washington vicinity shortly. If 30th impracticable name first day convenient. Wire answer.

BEACH, *Chief of Engineers.*

I next received a telegram from Mr. Liebold on May 26, reading:

Maj. Gen. LANSING H. BEACH,

Chief of Engineers, War Department, Washington, D. C.:

Replying your telegram 23d, can arrange for Colonel Worthington to see Mr. Ford morning June 6. Absence from city will prevent earlier arrangement. Please advise.

E. G. LIEBOLD.

And I replied to this telegram on May 27, as follows:

E. G. LIEBOLD,

General Secretary to Henry Ford, Dearborn, Detroit, Mich.:

Have arranged for Colonel Worthington to see you and Mr. Ford Monday morning, June 6.

BEACH, *Chief of Engineers.*

Colonel Worthington went to Detroit and placed the facts as he understood them before Mr. Ford on June 6 and 7, 1921, and on June 14 he went with Mr. Ford to inspect Muscle Shoals. On July 9 Colonel Worthington returned to my office from Detroit and delivered to me the Ford offer for Muscle Shoals, which Mr. Ford had signed on July 8, 1921.

In all this negotiation Colonel Worthington showed an originality and engineering skill in securing Mr. Ford's signature to his offer that entitles Colonel Worthington to distinction, and this achievement saved Muscle Shoals from being scrapped.

What has the Ford offer been worth to the Government, to the taxpayers of the country, and to the people of the Tennessee Valley? Has it been worth less than \$50,000,000? I myself consider that it has been worth more than \$50,000,000. Who can really estimate the value of the Ford offer to the people of the Tennessee Valley in Alabama and Tennessee, and to the South?

I think you will agree with me that it is a remarkable thing that even though Mr. Ford withdrew his offer in October, 1924, at the last session of Congress a joint resolution was passed providing that no lease of Muscle Shoals shall be made that does not provide benefits to the Government equal to or greater than the offer of Henry Ford.

I have recited this detailed history of the Ford negotiations to remind your chamber of commerce and the Chattanooga Times and the Manufacturers Record that they fail to understand and appreciate what the Tennessee River Improvement Association and its officers now charged with disloyalty have done for the Tennessee River and for Alabama, Tennessee, and the South.

I was glad to have the cooperation of the officers of the Tennessee River Improvement Association, Messrs. Huston, Worthington, and Waldo, in securing the first and later appropriations for the survey of the Tennessee River, now amounting to \$790,800. This survey speaks for itself and has no precedent. It has established a precedent, however, of national scope and importance. Following the survey of the Tennessee, under authority of the Committee on Rivers and Harbors, I ordered a partial survey of the Cumberland River, and a report has been made.

With the assistance of the Tennessee River Improvement Association officials, especially Mr. Waldo, we secured in the rivers and harbors bill of April, 1924, a provision for \$500,000, with \$250,000 to be immediately available, and authorizing the Chief of Engineers to make investigations for the preparation of a general plan for surveys of navigable streams of the United States and their tributaries. Finally, in this bill the Secretary of War through the Corps of Engineers and the Federal Power Commission were authorized and directed to prepare and submit to Congress an estimate of the cost of making such examinations, surveys, and other investigations as required for a general plan of surveying the navigable streams of the United States and their tributaries for navigation improvement, power development, and flood control. The report was made, and the cost of these surveys was estimated at \$7,322,400, and this amount is authorized in the rivers and harbors authorization bill now on the calendar of the Senate.

So we see that from about \$700,000 appropriated as the cost of the survey of the Tennessee, we now have surveys proposed which will require more than \$7,000,000. This national policy found its birth on the Tennessee River. I advocated this policy starting on the Tennessee, and the Tennessee River Improvement Association backed me. It will be of the greatest benefit to the whole United States to have this policy generally adopted.

Men like Huston, Worthington, and Waldo, with whom I advised and worked, are not the men to be charged with disloyalty to the Tennessee River and the South, and the president of the Tennessee River Improvement Association, Mr. C. H. Huston, should be most highly commended for his most efficient and untiring work, instead of being asked to resign.

As far as the benefit to the people is concerned, the question is a practical one, and the inquiry naturally arises, What are we going to do with the power we have discovered on the Tennessee River? If it is not put to work in the electrochemical industries, what will it do if it is not going on to waste for years and years?

The Tennessee River Improvement Association was in favor of the Ford offer, which I, as Chief of Engineers, recommended be accepted. If I were Chief of Engineers now, I have no doubt I would be with them in favor of the American Cyanamid Co.'s offer for Muscle Shoals, knowing that it meets with the full approval of the association, for my intimate knowledge of its judgment and loyalty through many years has given me confidence in the strength and value of its opinions.

I hope when I return from Europe to find the Tennessee River Improvement Association united and stronger than ever, and that Congress will not lose the opportunity to accept the offer of the American Cyanamid Co. for Muscle Shoals, as Congress lost the opportunity to accept the offer of Henry Ford.

I wish all the people of the Tennessee Valley all the prosperity which the resources of the Tennessee River offer to them, and I believe the best way for them to secure that prosperity is to support the Tennessee River Improvement Association and back up Messrs. Huston, Worthington, and Waldo.

When any member of the Tennessee River Improvement Association, or anybody not a member, begins to think that the association has lost its usefulness and charges disloyalty to its officers, let them read the following, which I quote from a speech delivered by Mr. James E. Smith, president Mississippi Valley Association, at the Thirty-second Annual Convention of the Ohio River Improvement Association held at Paducah, Ky., October 11:

"Now, that the Ohio River will soon be completed, I hope the Ohio River Association will turn its attention to the improvement of the two greatest tributaries of the Ohio which have been almost criminally neglected in the past. The Tennessee and the Cumberland Rivers are among the most important of the navigable rivers of the United States. They traverse a vast section of our country that is richer in valuable natural resources than any other undeveloped portion of the United States. Vast and valuable deposits of coal, iron ore, marble, slate, phosphate rock, and other valuable minerals are lying latent and unused for lack of the necessary transportation facilities to transport them to those sections of the country where they are needed and where these raw materials could be converted into wealth-producing products for the enrichment of our entire population. These two great rivers are especially rich in their power possibilities, which should be developed and put into use as soon as possible for the benefit of the inhabitants of this large and important area."

It is sincerely hoped that you can see your way clear to in some manner present to the public the truth about the long unswerving and faithful efforts which have been made by the officers of the Tennessee River Improvement Association to secure that development of the stream which would result in the greatest benefit not only to the people of the South but to the entire country.

With all old-time regards of the friendship which has existed since the days when we were cadets at West Point together, I remain,
Yours cordially,

LANSING H. BEACH.

CC: Senator McKellar and Senator Underwood.

Mr. BLANTON rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. In connection with the speech which the gentleman from Idaho has just put into the Record—and it was a wonderful speech, delivered by Senator BORAH—there was another speech made on that same occasion, delivered by the senior Senator from Texas [Mr. SHEPPARD]. I ask that that speech be printed alongside of that of Senator BORAH.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to extend his remarks by inserting a speech delivered by Senator SHEPPARD. Is there objection?

Mr. CHINDBLOM. Reserving the right to object, is it not already in?

Mr. BLANTON. I do not know as to that. If it is, it will not go in again.

Mr. UPSHAW. It is in.

Mr. BLANTON. Then I withdraw my request.

GUARDIANSHIPS, DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 12110) to amend section 1135, chapter 31, of the District of Columbia Code.

The SPEAKER pro tempore. The gentleman from Maryland calls up the bill H. R. 12110, which the Clerk will report.

The Clerk read as follows:

[H. R. 12110, Sixty-ninth Congress, first session]

A bill to amend section 1135, chapter 31, of the District of Columbia Code

Be it enacted, etc., That section 1135, chapter 31, of the District of Columbia Code be amended so as to read as follows:

"SEC. 1135. Accounts: It shall be the duty of the guardian to manage the estate for the best interests of the ward, and once in each year, or oftener if required, he shall settle an account of his trust, under oath. He shall account for all profit and increase of his ward's estate and the annual value thereof, and shall be allowed credit for taxes, repairs, improvements, expenses, and commissions not exceeding 5 per cent of the principal of the personal estate and on the annual income of the estate, and shall not be answerable for any loss or decrease sustained without his fault; and the court shall determine the amounts to be annually expended in the maintenance and education of the infant, regard being had to his future condition and prospects in life; and the court, if it shall deem it advantageous to the ward, may allow the guardian to exceed the income of the estate and to make use of the principal and sell the same or part thereof, under its order, as hereinbefore provided in subchapter 3 of chapter 1; but no guardian shall sell any property of his ward without an order of the court previously had therefor.

With the following committee amendments:

On page 2, line 1, after the word "commissions" strike out: "not exceeding 5 per cent of the principal of the personal estate and on the annual income of the estate."

On page 2, line 13, insert: "The court shall allow a reasonable compensation for services rendered by the committee not exceeding a commission of 5 per cent of the amounts collected and disbursed."

Mr. GIBSON. Mr. Speaker, this bill seeks to accomplish the same purpose in relation to guardianships that the other bill seeks to accomplish in connection with committees. Committees are appointed by one court and guardians are appointed by another court under the Code of the District of Columbia. I propose to offer the same amendment that was offered to the other bill and there is another amendment I propose to offer, in line 15, on page 2, the word "committee" should be "guardian."

The SPEAKER pro tempore. The gentleman from Vermont offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GIBSON: Page 2, line 16, after the word "collected"—

Mr. GIBSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GIBSON. Should we not first dispose of the committee amendment on page 2, lines 1 and 2?

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 2, line 1, after the word "commissions," strike out "not exceeding 5 per cent of the principal of the personal estate and on the annual income of the estate."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the second committee amendment.

The Clerk read as follows:

On page 2, line 13, insert: "The court shall allow a reasonable compensation for services rendered by the committee not exceeding a commission of 5 per cent of the amounts collected and disbursed."

Mr. GIBSON. Mr. Speaker, I offer an amendment to that amendment.

The SPEAKER pro tempore. The gentleman from Vermont offers an amendment to the second committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GIBSON to the second committee amendment: Page 2, line 15, after the word "the" strike out the word "committee" and insert in lieu thereof the word "guardian."

The Speaker pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GIBSON. Mr. Speaker, I offer another amendment to the second committee amendment.

The SPEAKER pro tempore. The gentleman from Vermont offers another amendment to the second committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GIBSON to the second committee amendment: Page 2, line 16, after the word "collected" insert the word "if" and after the word "and" in the same line insert the word "when," so that as amended the lines will read: "The court shall allow a reasonable compensation for services rendered by the guardian not exceeding a commission of 5 per cent of the amounts collected if and when disbursed."

Mr. GILBERT. Mr. Speaker, I rise in opposition to that amendment. This has just occurred to me, and I call it to the attention of the gentleman from Virginia [Mr. MOORE], that the word "if" is misleading. There can be no such thing as a committee or a guardian receiving an estate and not disbursing it. He has to disburse it some time. If he retains it until the ward's death, he has then to disburse it by turning it over to an administrator or in some States to an heir. The word "if" as included in the amendment is confusing, because it may be contended that he must spend the estate during the ward's lifetime. It must be disbursed some time, and that will naturally draw the question: What is meant by "if disbursed"? I think the language is better as it is, because it has to be disbursed, and if he retains it for many years and then pays it over to heirs he is none the less entitled to a commission for disbursing it then.

Mr. BLANTON. Will the gentleman yield?

Mr. GILBERT. Yes.

Mr. BLANTON. There were two instances here where 20 years ago a guardian received the estate of a non compos mentis ward of over \$20,000. After the ward became of age, yet was non compos mentis, he continued to act for him for 20 years and would expend out of that estate only \$2,000 a year. Under the committee amendment, as amended by the amendment offered by the gentleman from Vermont [Mr. GIBSON], suggested by the gentleman from Virginia [Mr. MOORE], the guardian would receive 5 per cent on that \$2,000 every year.

Mr. GILBERT. That is right.

Mr. BLANTON. He would not receive 5 per cent had he not disbursed it, but he would receive 5 per cent of only such money as he had collected and disbursed.

Mr. GILBERT. "When he disbursed it" is all right, but the language here is "if and when." The "if" has no place in the amendment, because he would eventually have to disburse the principal of the estate to somebody, and if he has had the care and responsibility of that principal for 20 years, he ought to get a commission on it when he finally turns it over to somebody.

Mr. BLANTON. Let me suggest this state of facts to my friend. Suppose a man is appointed guardian for a minor, receives an estate of \$50,000, and does not pay out a cent; somebody merely gives him a check and he puts it into bank and at the end of the year conditions are such that he does not have to pay out a cent. Under the rules and laws of the District of Columbia, at the end of that year the court would allow him a commission, but under this bill he would not get a cent, and he ought not to get a cent just for receiving the money unless he pays some of it out. Receiving a check and putting it in bank is not a service for which a man ought to be paid out of some poor fellow's estate who happens to be either a non compos or a minor.

Mr. GILBERT. The gentleman is correct in his statement as to what the law is now and what it ought to be. My only attempt here is to use the best language to accomplish what we all agree should be done. The language used in this bill is the exact language used by the statutes of many States, and I submit it is more apt than the language used by the gentleman in his amendment to the committee amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed, read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

APPOINTMENT OF TRUSTEES AND COMMITTEES IN THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I call up the bill (H. R. 12217) relating to the appointment of trustees and committees.

The Clerk read the bill, as follows:

[H. R. 12217, Sixty-ninth Congress, first session]

Be it enacted, etc., That no person shall be appointed by any court of the District of Columbia as committee or trustee if such person is serving as committee or trustee of as many as five non compos mentis persons.

With the following committee amendment:

In line 6, after the word "persons," insert a colon and the following: "Provided, however, That the provisions of this act shall not apply to trust companies acting as committee or trustee."

Mr. LAGUARDIA. Mr. Speaker, I rise in opposition to the committee's proposed amendment. The purpose of this bill is to limit to five the number under a committee or trustee. This is a very wholesome and necessary provision in the face of our recent experience in the handling of the estates of insane veterans, but you will notice that there is a little proviso here, just a little exception, that says:

Provided, however, That the provisions of this act shall not apply to trust companies acting as committee or trustee.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. BLANTON. If the gentleman will move to strike that out, I do not think, from what I understand, any member of the committee will object to it.

Mr. LAGUARDIA. It is a committee amendment, and I have risen in opposition to it and hope we will vote it down. It is a committee amendment, and I could not move to strike it out.

Mr. BLANTON. You would have to move to put a period after the word "persons" and strike out the balance of the committee amendment.

Mr. LAGUARDIA. No; it will come before us for a vote, and I am now speaking in opposition to the proposed committee amendment.

Mr. MOORE of Virginia. By unanimous consent you can strike it out.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that a period be substituted for the colon and that the proviso be stricken out.

Mr. CHINDBLOM. I object. This is a quibble, it seems to me. The colon is a part of the committee amendment. The period at the end is in the original bill.

The SPEAKER pro tempore. All that is necessary to accomplish the purpose is to vote down the committee amendment.

Mr. GILBERT and Mr. CHINDBLOM rose.

Mr. LAGUARDIA. Mr. Speaker, I thought my suggestion was going to be unanimously agreed to. If not, I want to continue. May I ask the gentleman if he is going to support the committee amendment?

Mr. GILBERT. Yes.

Mr. LAGUARDIA. Then I want to proceed.

I think this committee amendment ought to go out. Limiting the number to five is a very wholesome limitation, but if we allow a trust company to receive these estates without limit, we will have a repetition of the favoritism and the scandal that resulted before we had any protection for these estates. The first thing you know we will have the same sort of subsidiaries of undertakers and of bonding companies all connected with the one trust company; and, after all, it is not difficult to organize a trust company. I do not believe my position requires much argument. I believe there are enough veterans on the floor right now to vote down this proposed vicious amendment.

Mr. GILBERT. Mr. Speaker, I think it would be a great mistake to limit a trust company to five wards. A trust company has a lot of capital and equipment and employees and is prepared to handle many estates. No trust company could exist if you limited its business to five wards. This is not true of an individual. An individual, unless he is specially prepared and equipped to be in this business, ought not to have many wards and ought to be appointed only in those cases where, by reason of relationship or some other particular reason, he can give the matter personal attention, which does not apply to a trust company.

Mr. BLANTON. Will the gentleman yield?

Mr. GILBERT. Yes.

Mr. BLANTON. This does not at all interfere with the business of a regular trust company that handles estates.

If my colleague will read this bill he will see that it applies to wards who are non compos mentis. I dare say if my friend will investigate the ordinary trust company it has nothing to do with the non compos mentis wards. The trust company deals with the estate where a man makes a will and makes the trust

company an executor or the court appoints the company as administrator. It concerns wards that are not non compos.

Mr. GILBERT. A little trust company that I am connected with in my district has fully 8 or 10 of those cases, and I am sure a trust company in Washington will have many more. I can not see why we should interfere with the legitimate operations of trust companies and limit the wards to five.

Mr. SCHAFER. Mr. Speaker, I rise in opposition to the amendment. I have followed very carefully and have assisted in bringing to light of day the guardianship monopoly of Frederick A. Fenning. The gentleman from Texas [Mr. BLANTON] rendered great service to many thousands of incompetent war veterans and the Nation in exposing the revolting exploitation of incompetent wards by this professional guardian.

We might just as well defeat this entire bill if we adopt the pending amendment. If the amendment is adopted and the bill enacted into law, what is to prevent Frederick A. Fenning from continuing to exploit incompetent wards through the agency of a trust company?

Mr. BLANTON and Mr. CHINDBLOM rose.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois [Mr. CHINDBLOM].

Mr. BLANTON. Mr. Speaker, there are rules that members of the committee are entitled to some sort of recognition. I do not object to yielding to the gentleman from Illinois, but I thought the distinguished Speaker was such a parliamentarian that he would follow the rules of the House.

The SPEAKER pro tempore. The Chair knows of no such rule.

Mr. CHINDBLOM. There is no rule that allows the gentleman to speak twice until others who desire to be heard are heard.

Mr. BLANTON. I have not spoken on this bill at all.

Mr. CHINDBLOM. Then I owe the gentleman an apology. I thought he had spoken already on the bill.

Mr. BLANTON. I will yield to the gentleman from Illinois.

Mr. CHINDBLOM. Mr. Speaker, I do not yield to the gentleman from Wisconsin [Mr. SCHAFER] in appreciation and commendation of the splendid work done by the gentleman from Texas with reference to the care of estates of wards in the District of Columbia, but it is often said that a bad case makes bad law, and that is what is happening here. It is agreed that a person should only be permitted to handle five cases of non compos mentis wards, but the committee or trustee is likely to abuse his trust. Why can not a committee or trustee of five noncompetent persons exploit those five estates, and why can not a trustee of one estate exploit that estate? The fault was not in the number of estates; it was in the custom that had grown up of selecting improper persons to handle them. The control of the appointment lies with the courts. The court which appoints the committee or trustee is charged with the duty of appointing a fit and competent person.

Mr. RANKIN. Does the gentleman think that any committee or guardian could properly look after 120 estates?

Mr. CHINDBLOM. No; I do not think the court should give that many to a single committee or trustee.

Mr. RANKIN. The court that is going to construe this law did do it.

Mr. CHINDBLOM. In order to avoid the experience of the past you are willing to throw aside every other consideration. If there is anyone who has the facilities for handling these cases, it would not be vicious to give him more than five assignments. If you give him a sufficient number of assignments to make it worth his while to devote himself exclusively to the work, he will give you better service than will the man who accidentally happens to be the guardian or trustee of an incompetent person.

With reference to trust companies, they do have these facilities. They have these departments. They have the men and the women who can give attention to this work, and to limit them to five cases would simply make it impossible to find competent and experienced people in the District of Columbia. You have only half a dozen trust companies, we will say, in the District. That means that out of the great mass of estates of this kind it would be possible to assign only 30 of them to the trust companies, and then you would have to go out and find individuals who are willing or able to handle these matters.

Mr. GILBERT. Mr. Speaker, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. GILBERT. The gentleman has just emphasized one of the great troubles that will arise if this amendment is defeated. The trust companies, not being able to handle more than five, may not care to open any books to handle any of them.

Mr. CHINDBLOM. Oh, they would not take the business.

Mr. GILBERT. And then you would be forced to go to some person without equipment to handle these cases.

Mr. CHINDBLOM. We are not going to avoid incompetency, inefficiency, unworthy conduct on the part of guardians by limiting the number of assignments. The evil can not be reached in that way. It must be reached by a proper administration of the law by the courts, who, after all, are responsible for these wards.

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in 15 minutes.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent that all debate upon this section and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I want the attention of my friend from Illinois [Mr. CHINDBLOM] and my friend from Kentucky [Mr. GILBERT]. I think they have misconstrued what was in the mind of the committee when they approved this bill and when the gentleman from Kentucky had this amendment adopted in committee. This is a question that affects only one kind of wards—non compos mentis wards—those who are in insane asylums. Every single expert who appeared before our Gibson committee on this question, who testified to the service that the guardian or a committee rendered a non compos, testified emphatically that the service was valuable only by reason of the personal interest that the committee took in its ward. It was the personal visitation of his ward by the guardian; it was the care and the personal attention that the guardian gave his ward; it was the confidence that the ward could have in his guardian as his best friend. It was not just handling his finances, because if it were just handling money of the estate there would be no better committee than a trust company; but it is not that. The main value of the service of a committee to a non compos is the personal feature of it, and no trust company can render that personal feature. But I am not willing to say that it should be taken away from trust companies entirely.

I was one of those who helped to influence our chairman not to call up the bill which would prevent a corporation from pleading usury, the same as an individual, which bill is on the calendar and scheduled to come up, because I think a corporation has the same right as individuals respecting usury, and I am not now inveighing against trust companies or corporations; but I call attention to this when you vote on this amendment: The very man whose wholesale business in guardianships caused this bill to be framed and reported out of the committee is a director of one of the biggest trust companies here; and when you deprive him of his guardianships under the law, if you vote down this amendment, he will just merely transfer all of his guardianship cases to the trust company of which he is a director. And I call your attention to another thing that my distinguished friend from Kentucky himself helped to bring out on that committee: One of these judges who appoints the guardian and the committee, if you please, has been a big debtor to one of the big trust companies here, borrowing big sums of money from the Munsey Trust Co. Do you not think that when a particular trust company will lend a big sum of money to a judge on the bench, and he takes the loan, he might be influenced even against his will sometimes to give the inside to that trust company? I want to put the trust companies on the same plane as the individual, and I hope that this committee amendment will be voted down.

Mr. RANKIN. Mr. Speaker, I regret very much to differ from my friend from Kentucky [Mr. GILBERT] on this proposition, but so far as I am individually concerned I would not consent to a trust company in Washington being the guardian of the person of any non compos for whom I was in the slightest degree responsible. To permit these institutions with no personal interests in these insane people, most of whom are ex-service men of one or the other of our wars, with no personal contact, to merely take these guardianships for what money they get out of them, is to deprive these unfortunate people of even that small degree of personal contact with the guardian which they are supposed to have. I am not unmindful of the fact that these men will still be incarcerated in St. Elizabeths Asylum. I am not unmindful of the fact that you have left one of the chief conspirators in the exploitation of our unfortunate ex-service men at the head of that institution.

I am not willing to vote to say that a trust company, possibly headed by one of these men, or by anyone else who is not personally interested in these men, shall take over these guardianships or commit these men to the tender care of a man who is shown by the record in these cases to be one of their chief exploiters. I do not know why this amendment was put in. We fought this in the Veterans' Committee all last year, and I submit that it would virtually destroy the usefulness of all the legislation that has been passed upon this subject, including

this piece of legislation, if this amendment should be adopted, and I sincerely trust that in the light of what has recently transpired the Members of the House will vote down this amendment. [Applause.]

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The question was taken, and the Speaker pro tempore expressed himself as in doubt.

The SPEAKER pro tempore. As many as favor the committee amendment will rise and stand until they are counted.

The House divided; and there were—ayes 6, noes 13.

So the amendment was rejected.

Mr. LA GUARDIA. Mr. Speaker, I will ask the chairman of the committee if the intent of this bill is to affect future appointments, or is it to limit the number of guardianships of any committee heretofore appointed?

Mr. GIBSON. I will say to the gentleman from New York that I do not think you can make this bill retroactive.

Mr. LA GUARDIA. That is what I feared.

Mr. BLANTON. In other words, when this bill becomes a law no one can lawfully become a guardian of more than five.

Mr. LA GUARDIA. That is the hope, but I do not believe that this bill so expresses it.

Mr. BLANTON. I think if it becomes a law it will be unlawful to do it.

Mr. ZIHLMAN. It has to do with future appointments only.

Mr. BLANTON. I do not agree with the gentleman from Maryland.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

LIMITING GUARDIANS TO FIVE CASES

The SPEAKER pro tempore. The Clerk will report the next bill.

The Clerk read as follows:

[H. R. 12218, Sixty-ninth Congress, first session]

A bill amending sections 1125 and 1127, chapter 31, of the District of Columbia Code

Be it enacted, etc., That sections 1125 and 1127, chapter 31, of the District of Columbia Code be amended so as to read as follows:

"Sec. 1125. Appointment by court. If any infant shall have neither natural nor testamentary guardian, a guardian of the person may be appointed by the probate court in its own discretion or on the application of any next friend of such infant: *Provided, however,* That no person shall act as guardian of the person for more than five infants at one and the same time, unless said infants be members of one family."

"Sec. 1127. When guardian of estate is appointed by court. Subject to the provisions of the preceding sections of this chapter, whenever land shall descent or be devised to any infant under 21 years of age, or such infant shall be entitled to a distributive share of the personal estate of an intestate, or to a legacy or bequest under a last will, or shall acquire any real or personal property by gift or purchase, the said court may appoint a guardian of said infant's estate; and if there shall be a guardian of the person of such infant, the guardian of the estate so appointed may be the same or a different person: *Provided, however,* That no person shall act as guardian of the estate of more than five infants at one and the same time unless the infants are entitled to shares of the same estate. The said appointment may be made at any time after the probate of the will or the grant of administration where the infant is entitled as a devisee, legatee, or next of kin."

With a committee amendment, as follows:

Page 1, line 9, strike out the word "person" and insert "person, except trust company"; and on page 2, line 14, strike out the word "person" and insert in lieu thereof the words "person, except trust company."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

Mr. GILBERT. Mr. Speaker and gentlemen of the committee, I think this matter is serious enough to receive your undivided attention. In the last bill we limited trust companies to five trusteeships of persons who are non compos mentis. I think we made a mistake. But it was a very small mistake in comparison with the mistake you would make if you should extend that doctrine to infants.

Mr. BLANTON. I agree with my colleague in this instance, that trust companies do become splendid guardians for infants in carrying out the provisions of wills and as the administrators of estates. I do not think we should vote down the committee amendments in this bill.

Mr. GILBERT. I am glad the gentleman agrees with me. A non compos mentis requires more personal attention and

infants none, and then when you get up to those who are executors or administrators, none are required. I do not think we should extend this doctrine by any means to include infants. But as I see no opposition I will not press the matter further.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the bill as amended.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. ZIHLMAN. Mr. Speaker, that is all the bills that the committee desires to call up.

ERADICATION OR CONTROL OF THE EUROPEAN CORN BORER

Mr. SNELL. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 362. That resolution is for the purpose of considering House bill 15649, a bill to provide for the eradication or control of the European corn borer.

I will say to the House that the Committee on Rules reported this rule this morning. It was not the intention to try to call it up to-day, but there seems to be time to spare this afternoon, and, as I understand, there is no opposition anywhere to the consideration of this bill. I will therefore ask unanimous consent for the present consideration of the resolution.

Mr. SCHAFER. Reserving the right to object, how much will it cost?

Mr. SNELL. The bill carries an authorization of \$10,000,000.

The SPEAKER pro tempore. Is there objection to the consideration of the resolution?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 362

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15649) entitled "A bill to provide for the eradication or control of the European corn borer." After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman of the Committee on Agriculture, and the gentleman from Louisiana [Mr. ASWELL], the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage.

Mr. SNELL. Mr. Speaker, I simply want to say that there is a unanimous report from the Committee on Rules; and inasmuch as there is no desire on the part of anybody that I know of to say anything, I move the previous question on the resolution.

Mr. CRAMTON. Do I understand that it has full recommendation?

Mr. SNELL. It has recommendation from top to bottom.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. BLANTON. Mr. Speaker, I moved to reconsider the vote by which the last District bill was passed, and to lay that motion on the table. It was not done.

The SPEAKER pro tempore. As the Chair recalls, it was done by unanimous consent. Can the Journal Clerk inform the Chair? It is the Journal Clerk's report that it was done.

Mr. PURNELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 15649, to provide for the eradication or control of the European corn borer. Pending that motion, notwithstanding the fact that the rule provides for two hours of debate, I should like to make some arrangement, for the purpose of expediting action on this bill, with the gentleman from Kentucky [Mr. KINCHELOE], who will control the time on that side of the House, for a shorter time of debate if it is possible to do so.

Mr. KINCHELOE. How much time does the gentleman think he will use on his side?

Mr. PURNELL. I would suggest 15 or 20 minutes on a side, as far as I am concerned.

Mr. KINCHELOE. Twenty minutes will be enough.

Mr. PURNELL. Mr. Speaker, we can move that the committee rise at any time. This is an important matter, and I think there is little if any opposition to it. Perhaps we had

better extend the time and then move to rise if we choose to do so. With the consent of the gentleman from Kentucky, I will ask unanimous consent that the general debate proceed for 30 minutes on a side.

Mr. CHINDBLOM. Mr. Speaker, the rule provides for the time of debate. It limits the debate to two hours.

The SPEAKER pro tempore. The House can still limit it further.

Mr. CHINDBLOM. The House can, but why not go into committee and when we are through come right out again?

Mr. PURNELL. We hope to come out very shortly.

The SPEAKER pro tempore. Does the gentleman from Indiana renew his request to make it 1 hour 30 minutes on a side?

Mr. PURNELL. Yes.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent, the rule notwithstanding, that general debate be limited to one hour. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Indiana that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15649.

The motion was agreed to.

Accordingly, the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15649, to provide for the eradication or control of the European corn borer, with Mr. RAMSEYER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15649, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. PURNELL. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. PURNELL. Mr. Chairman and gentlemen of the committee, I would not seek to bring up this bill at this late hour Saturday afternoon if it were not for the extreme urgency of the matter. I think the membership of the House is generally familiar with the corn-borer situation. As a matter of information let me say that in 1909 or in 1910, as nearly as can be estimated, the European corn borer came to this country in a shipment of broomcorn from Austria. It was discovered for the first time, I think, in 1917. It first appeared in Canada, and because of lack of regulations and lack of proper control it spread when it was at the moth stage across the lake into Ohio, and it is now prevalent in an area of something like 90,000 square miles. It is regarded generally as one of the most serious pests that has ever threatened American agriculture.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. PURNELL. I yield.

Mr. GARRETT of Tennessee. If I understand it aright, if this insect is let alone it will settle the question of the surplus of corn?

Mr. PURNELL. The gentleman is entirely correct. If we will let this pest run long enough it will settle the surplus problem as far as corn is concerned, and perhaps other products.

Mr. KINCHELOE. According to the evidence before the committee, it will settle the surplus problem of every other agricultural product.

Mr. PURNELL. I think that is right, and I will say to my good friends down South that this borer is just about as fond of cotton as it is of corn, and attacks more than 200 kinds of vegetation.

This bill, gentlemen, is merely an authorization. It authorizes the appropriation of \$10,000,000 to be used by the Department of Agriculture in conjunction with the several States which are affected. It is a very short bill, and I want to call the attention of the committee to two very important provisos in it. One is:

That, in the discretion of the Secretary of Agriculture, no expenditures shall be made hereunder until the States wherein the European corn borer exists shall have provided necessary regulatory legislation, and until a sum or sums adequate to State cooperation shall have been appropriated, subscribed, or contributed by States, county, or local authorities or individuals or organizations.

That does not mean we require a dollar-matching program, but it does mean that there must be, in the discretion of the Secretary of Agriculture, cooperation upon the part of the different States. The reading of this proviso suggests one of the reasons for immediate action. A number of the State legislatures in the infected area are either now in session or will be in session within the next few days.

Bills have already been drafted to submit to these various States in order to secure not only regulatory legislation but financial cooperation and assistance. It is, therefore, of the utmost importance that this bill be passed quickly in order that we may lead the way for the several States in this great program, which seeks not eradication, because they say that is impossible, but the control of this pest which, without question, is one of the greatest menaces that has ever threatened American agriculture.

The increasing gravity of the corn-borer situation apparently came home to the big corn-growing States so as to spur them to action only within the last year. After visits to Ontario and one or more interstate conferences, representative interests in the Corn Belt felt that a large-scale control experiment should be tried out over the entire western portion of the territory infested by the corn borer—the program to consist of a very thorough clean-up campaign over the area, in the operation of which expenditures for any farm clean-up additional to those normal and usual in farm operations and necessary to the control of the corn borer would be underwritten by the Federal and State Governments concerned. * * *

This proposed clean-up experiment will necessarily involve the expenditure of a large sum of money, because a good deal of the work will involve farm practices which are not normal and usual, and the use of new types of machinery which the farmers would not normally purchase.

The proposed clean-up would mean also the application of the control to many farmers who are at present suffering no damage at all from the corn borer. The department is advised that an investigation made by persons competent to determine the cost indicates that this will mean an added cost to the farmer of approximately \$2 per acre above that normal to farm operations. The justice of the Federal and State Governments assuming the cost of this extra and unusual work is based largely on this situation.

Necessarily this work must be done under State authority and adequate State legislation therefor must be secured. Furthermore, it would seem to be clear that if this experiment is to be now undertaken with any promise of success, both the State authority and the necessary funds must be available not later than February 1, 1927. It is pointed out that the proposed campaign is largely in the interest of the farmers of the Corn Belt and all the commercial and other interests which are tied up with the welfare of such farmers. Incidentally, the States in which the corn borer is now found, as well as the individual farmers, are already meeting a big cost and will, because of the injury from this insect, suffer additional loss.

The entire argument for such a clean-up program is based on the possibility of slowing up the natural spread of the corn borer into the Corn Belt. It is not an eradication campaign. Eradication is considered impossible.

The proposed large-scale clean-up experiment, as already indicated, originated in the Corn Belt States and has been presented and discussed by representatives of these States with the Secretary of Agriculture and his specialists and with the Budget, and this idea is embodied in the bill under discussion. The department feels that such a control experiment will certainly greatly reduce the number of corn borers in the infested area, and slow down or prevent the natural spread of the pest.

The other proviso to which I wish to call your attention is as follows:

That no part of this appropriation shall be used to pay the cost or value of corn or other farm crops or other property injured or destroyed.

The purpose of this proviso is to prevent the filing of endless claims against the Government for damages done to farm property as a result of this clean-up program. We want to reduce to a minimum the possibility of any serious or prolonged litigation growing out of this control program. It is the plan of those who have given long study to the question of control that the measures based upon the experience, judgment, advice, and counsel of the best entomological and agronomic specialists in the country be followed as nearly as possible. These measures, which were instituted and have been in progress since 1917, include—

(1) Quarantines to restrict the movement of carrying products to prevent long-distance spread of the pest; (2) scouting to determine the extent of yearly spread; (3) clean-up of heavily infested areas to determine the possibilities of control under farm methods and management and as a means of controlling spread; and (4) studies of life history and habits as a basis for methods of control, including introduction of parasites from Europe, the native home of the pest.

The efforts to prevent spread by quarantine or other measures naturally can not affect the natural spread of the insect from year to year by its own flight and necessarily also can not completely control spread by artificial means, with the result, par-

ticularly in the western area, that the insect has been spreading in all directions at a rate of from 20 to 30 miles a year, and the infestation in these new areas of spread, as indicated, is rapidly increasing in intensity.

I now yield to my friend from Iowa.

Mr. COLE. Do I understand we are going to leave this to the discretion of the Secretary of Agriculture, and if a State does not cooperate that the pest is to be allowed to go on?

Mr. PURNELL. No; it does not mean that at all. The bill was very carefully drawn—

Mr. COLE. Then it ought not to be mandatory.

Mr. PURNELL. The bill was very carefully drawn with that in mind. If we were to require any specific appropriation upon the part of any State, then this program might be held up for another year, and it is of great importance that not later than February 1 this money be available in order that they can lay out this clean-up program before the spring planting begins.

Mr. COLE. If a State does not choose to cooperate, the National Government is to go ahead, anyway; is that correct?

Mr. PURNELL. The National Government is to do everything it has the power to do, but it will require the passage of certain regulatory legislation before the Federal Government has the power to go in and conduct a clean-up.

Mr. COLE. Yes; but if a State should not provide that help, then this borer will go on?

Mr. PURNELL. The borer will go on except in so far as the Federal Government will do all that it can legally and properly.

I will say to the gentleman that I think the European corn-borer committee, which represents all of the affected States and which has been working on this program for the last year, has the assurance of all of the States affected by the corn borer that such regulatory legislation and such financial cooperation as is necessary will be forthcoming at the present sessions of their several legislatures.

I have no doubt of that and I want to say in passing, because I do not want to take up much time on the matter, this European corn-borer committee, which has been working on this program very intensely during the past summer, was composed of entomologists, representatives from agricultural schools, directors of experiment stations, representatives of corn growers' associations and others interested in stopping the progress of this pest, and that the bill which is before you was drawn by this European corn-borer committee in conjunction with the Secretary of Agriculture.

In this connection I desire to read the following letter from the Secretary of Agriculture:

DEPARTMENT OF AGRICULTURE,
Washington, January 5, 1927.

Hon. FRED S. PURNELL,
House of Representatives.

DEAR MR. PURNELL: Reference is made to your letter of January 4 requesting the views of the department concerning the bill (H. R. 15649), "To provide for the eradication or control of the European corn borer."

This department, with the cooperation of the infested States, has been studying this pest and methods of controlling it for several years. I am sending herewith a brief statement of the situation to date which has been prepared by the entomologists of the department. The regular agricultural appropriation bill which has just passed the Senate provides the necessary funds for quarantine and investigational projects including the introduction of parasitic enemies of the borer, but does not make provision for such a clean-up experiment as is advocated by representatives of the Corn Belt States.

It is quite possible that such a clean-up would result in very greatly reducing the corn-borer population by destroying the stalks in which the borer passes the winter and thus greatly slow up the spread. Experiments to date indicate that this would be the result. It is certainly highly desirable to retard the spread as much as possible while we are searching for the most effective means of control.

Such a program as is provided for in the bill would have to start not later than February 1 if anything is to be accomplished next season, and would have to have the heartiest cooperation of the States involved. All the States involved should provide quarantine legislation and compulsory clean-up regulations that are adapted to their respective conditions; otherwise the cooperation of the Federal Government could not be effective.

The European corn borer is one of the most alarming crop pests that has ever become established in America, and every possible means of control should be utilized.

Sincerely yours,

W. M. JARDINE, Secretary.

I think I am not guilty of any impropriety if I say that before I introduced this bill I went personally to the White

House and went over it with the President, who gave it his hearty approval, as far as the general purposes of it are concerned, and expressed his very great interest in doing everything that it is humanly possible to do to bring about a speedy control of the corn borer. As I said a moment ago, we are told by the Department of Agriculture that it can not be eradicated, and I saw only yesterday—and this I give as another evidence of the potentiality of it—I saw only yesterday in the Chicago Tribune, on the front page, a story of the finding of the corn borer in Kankakee County, Ill., within a few rods of the Indiana-Illinois line.

Up to date the borer has been found in six or eight of the northeastern counties of Indiana, in Michigan, in Pennsylvania, in New York, in Ohio, and in a small section of West Virginia, but not until a few days ago did anyone dream it had drifted as far west as the Indiana-Illinois line.

Mr. VESTAL. Will the gentleman yield?

Mr. PURNELL. In just a moment.

I may say further that if this corn borer is not checked, and it once gets down into the Wabash and Mississippi Valleys, there is no way of estimating the damage that it will do to all of the Southern States, because, as I stated a moment ago, it affects 200 kinds of vegetation. The borer itself will live in water, it will live in a cake of ice, and it has been soaked in a saturated salt solution for 86 hours and came out perfectly normal, healthy, and happy and ready for business.

Another means of transferring this pest, and, of course, the principal one, is through the moth. When it is at the moth stage it is carried by the wind, and during the last year has been carried as far as 125 miles.

While we are speaking of agricultural problems, I undertake to say that at this moment there is no greater menace to American agriculture than the European corn borer and I hope, and I think I know, that the membership of this House, regardless of party, regardless of section, are keenly alive to this situation.

I yield now to my colleague from Indiana.

Mr. VESTAL. Will my colleague state where this pest was first discovered, in what part of the United States, and when?

Mr. PURNELL. I made the statement just before the gentleman came in, but for the information of my colleague, I will repeat that it came over from Austria in a small shipment of broomcorn in 1909 or 1910. It landed at St. Thomas, Ontario, Canada, and because they had no regulation, no method of combating it, no legislation up there, it spread, and at the moth stage, they are absolutely sure it flew across the lake and planted itself in Ohio. From this place it has spread, and as I have said, now covers an area of something like 90,000 square miles.

Mr. VESTAL. When was it first discovered in Ohio? That is what I wanted to know.

Mr. PURNELL. In 1921 it was first discovered in Ohio. So, you see, in five years it has crossed the western part of Ohio and has reached into Indiana, and now is found in six counties in our State. I repeat that only a few days ago it was discovered over at Kankakee County, Ill., on the border line between Indiana and Illinois.

I yield to my colleague from Indiana.

Mr. GARDNER of Indiana. I wonder if the gentleman will tell us whether or not they have any plan now of controlling it, and what the proposed method is?

Mr. PURNELL. Yes; I will be very glad to do that.

This program which, as I said a moment ago, has the support of and has been worked out by, the European corn-borer committee, the Secretary of Agriculture and his various departments, contemplates what they choose to call a "clean-up." I said a moment ago, and I am only quoting what others say, because I do not know myself, that it is impossible to eradicate it; but they do feel that by going into this affected area, they can clean off every single corn stalk in the area, shred it, burn it, or plow in under so deeply that the corn borer will be destroyed. Thus it is hoped to check or control the spread of this pest.

That is the first step. As you notice in this bill it provides that no part of this appropriation shall be used to pay the cost or value of corn or other farm crops or other property injured or destroyed.

Speaking of the specific plan contemplated under this bill, briefly, it is this: For the Federal Government in cooperation with the States to go into the affected area and there employ the farmers themselves—and after all, this appropriation contemplates only the payment for labor—employ the farmers themselves to perform this clean-up.

The Secretary of Agriculture will be responsible for the employment and payment of these men through the cooperation

with the States. It is provided in the bill that the expenditures under this appropriation for any necessary farm clean-up, attempted eradication or control, shall include only such as are in the judgment of the Secretary of Agriculture additional to those normal and usual in farm operations. That is to say, we are going to pay the farmers for doing the things that they would not normally or usually do in connection with their farm business. It is within the discretion of the Secretary of Agriculture to say what is unusual and abnormal.

Mr. VESTAL. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. VESTAL. Is it not a fact that the farmers throughout our own State are now doing the very thing proposed by the gentleman in the bill without any Federal help?

Mr. PURNELL. In a small way; but, you see, it is pretty hard for a farmer who has 160 acres of corn in which there is not a single borer to reach the conclusion that after his corn is husked he should go to the additional expense of destroying the cornstalks by plowing them under or burning them. If he does that which is not in the natural course of his farm operations, we propose, under this bill, to pay him for it. It is estimated that it will cost about \$2 per acre to make such a clean-up.

Mr. VESTAL. I am heartily in favor of this bill, and I only made the statement to show that the farmers themselves are beginning to realize what this means. In our own State they are doing this very thing now, trying to destroy these cornstalks by burning them or plowing them under.

Mr. PURNELL. It not only affects growers of corn, but vitally affects hog raisers and cattle raisers, and ultimately, as suggested, will destroy all crops.

Mr. HOOPER. Will the gentleman yield?

Mr. PURNELL. Yes.

Mr. HOOPER. Some gentlemen do not understand the nature of the corn borer; will the gentleman state what it is?

Mr. PURNELL. I am sorry; I have some charts, but I have not got them here to submit to the membership of the House. The corn borer is a little worm, perhaps, on an average, an inch in length, yellow in color, which attacks the pithy part of the cornstalk. I have here some cross sections of cornstalks showing the corn borer as he lives and works in the stalk.

Mr. COLE. Has there been any scientific investigation of the corn borer in Europe?

Mr. PURNELL. Yes; in a way, but I am not prepared to say to what extent cornstalks have been discovered which contained as many as 200 of these worms. For the benefit of my friends who raise cotton I want to say that we are as much interested in preserving your cotton as you are in preserving our corn. The cotton stalk being smaller can stand only one or two borers before its falls over, whereas a cornstalk can carry as many as 200 or more. Through experimentation they have found that the corn borer is almost as fond of cotton as he is of corn, although it prefers the corn.

This bill provides for an organized campaign against an insect which threatens the wealth and prosperity of the Nation. It is of direct concern to corn growers, cotton producers, livestock feeders, and other farmers. It is of as great importance to the people of the cities. Any great loss to the corn, cotton, or other farm crops, or any material increase in cost of production, has an immediate effect on consumers in the city and on industry, railroads, and other business enterprises.

Several agricultural authorities, after studying the European corn-borer situation and visiting the devastated areas in Canada, have pronounced this insect as the greatest menace that has ever confronted American agriculture. This is the opinion of careful, conservative, scientific men, and not the disordered imagination of alarmists. With the advance of this pest toward the Corn Belt of the Central West and its increasing destructiveness in the areas already infested, national prosperity is seriously threatened as never before realized. This pest looms on the horizon as a factor which is absolutely certain to have a tremendous disturbing influence on the whole fabric of our national economic and political life.

A study of the situation in the older infestations in Canada reflects the possible effects in the great Corn Belt of the Central West if the borer becomes well established there. Last year (1925) all of the cornfields in Kent and Essex Counties in Canada showed a commercial loss of 50 to 100 per cent. In 1926 the normal corn acreage of 100,000 acres in Essex County was reduced to 8,000 acres, this greatly reduced acreage showing practically a complete loss. Similar conditions prevailed in Kent County. Hundred-acre fields which were outside the heavily infested area in 1925 and which produced 50 to 100 bushels of corn were total losses this year. The region of greatest destruction covered 400 square miles in 1925, while this has

increased to 1,200 square miles in 1926. A speaker at a recent banquet at Chatham, Ontario, stated that the corn-fed hog in that section was almost a relic of the past. Farmers who produced 200 to 400 hogs each year do not have a single hog this year. Farmers are attempting to substitute sugar beets, tomatoes, alfalfa, tobacco, grapes, and other crops for the corn crop. It is evident to everyone that this change will be slow and that great loss is being suffered by the landowners. Land values in this section have already decreased 25 to 50 per cent.

The westward spread of the borer has been comparatively slow up till this year, because the natural spread is in the moth stage and with the wind. The prevailing wind when the moths are flying has been from the south and west. However, strong east and northeast winds in 1926 when the moths were flying carried them a hundred or more miles westward, and the borer is now to be found in northeastern Indiana and in Michigan to within one and one-half counties in Lake Michigan. The spread may be expected to be more rapid from now on if the proper measures are not adopted. In other words, if this insect is not checked immediately the corn borer will no doubt be found throughout the Corn Belt in two to five years. The consequences may be disastrous to American prosperity and certainly the establishment of this insect in harmful numbers will immediately increase the cost of production of corn from 10 to 25 cents per bushel. This increased cost will be at once reflected in the cost of living.

At the present time there is opportunity with the cooperation of all the farmers in the thinly infested areas in Indiana, Michigan, and Ohio, to destroy a majority of the over-wintering borers now in the field. With proper financial support and united efforts of farmers in the infested areas, it should be possible to deal a severe blow to this insect. This should help to hold the line somewhat near the present limits.

In the heavily infested area much can be done to reduce the number of insects and loss to the corn crop.

Experience of research workers indicates that more than one year will be required to reduce the abundance of the insects in the moderately to heavily infested areas to uninjurious numbers. These research workers also state that complete eradication of the corn borer is probably impossible and that by present methods only reasonable control and checking of spread can be anticipated. It is felt that the corn borer is here to stay and that better methods of control must be developed so that corn production can be carried forward in a successful way. Thus, by at least holding the borer in check and pushing with greatest energy every phase of the investigational work, it is hoped that more practical methods of control will be developed. At present the only control is clean-up, and to be effective it must be practiced by every corn grower. In other words, the individual farmer has no means of protecting his crops unless he has the support of his neighbors over a large area. Investigations in progress should develop methods which will enable the individual farmer to protect his crop regardless of the action of his neighbors.

For these reasons it is important that the borer be held within its present range as nearly as possible. This clean-up to check the borer is equally effective in the lightly and heavily infested areas. But because no injury is as yet evident in the lightly infested areas many farmers show a lack of interest, and therefore special efforts are necessary to secure complete clean-up. If the lightly infested areas are allowed to exist until commercial damage is evident, the borer will have spread into the great corn belts of Indiana, Illinois, and Iowa and the opportunity which is now ours will be lost.

There are more than 2,500,000 acres of corn in the infested areas in Ohio, Indiana, Michigan, Pennsylvania, and New York. Some of this corn has been harvested and placed in the silo or shredded. On a large share of this land the cornstalks are still in the field.

On many farms in Michigan, Indiana, and Ohio corn ground is sown to oats. Many of these farmers follow the practice of breaking down the cornstalks, disking the ground, and seeding the oats. This practice saves labor and permits in most seasons early seeding, but offers favorable conditions for overwintering corn borers.

Under the proposed plans for a clean-up of this large corn area, farmers will be required to break down the stalks, rake and burn them or plow in a careful way, so as to cover completely all corn stubble, weeds, and other refuse and debris. It is readily recognized that this plan means a lot of extra work and the use of additional machinery.

The clean-up campaign must be completed by May 1 in most sections of the territory involved. This means that in addition to the regular rush of spring work farmers are called upon to perform extra labor on the cornland. A big task and large expense is proposed for the farmers.

On farms where the corn borer is doing commercial damage the farmers in self-defense and regardless of cost should follow the recommended practices. These farmers recognize the situation and must play their part. In sections where the infestation is light and farmers do not appreciate the dangers of the corn borer it is more difficult to interest the farmer and get him to do the necessary work. Again, it is found that while many farmers have done and will do all that is asked of them, there are a few in almost every community who refuse to cooperate. These few, then, maintain a source of infestation and the work of the others is largely lost. It is necessary to have all of the farmers follow clean-up methods and the work must be done in a thorough manner.

It is generally recognized that the proposed campaign against the European corn borer is in the interest of the public welfare. The individual farmers and the States in which the corn borer is now found are already meeting a big cost and will, because of the injury from the insect, suffer additional loss. The clean-up campaign and the extra work involved are not alone in the interest of the individual farmers or States in which the work will be conducted, but in the interest of the farmers of the Corn Belt and the Cotton Belt and the people of the cities.

The farmers of Illinois, Iowa, Missouri, Wisconsin, and other States are anxious that the corn borer shall be stopped and not permitted to reach these States. They are anxious that the necessary work shall be done on the farms in the infested area to control and limit the spread of the corn borer. City people, leaders of industry and railroads, and others are just as greatly interested in having the insect controlled and the loss reduced.

The bill referred to provides for uniform legislation in the infested States. A bill to fulfill these requirements has been drawn and submitted to the affected States, and every effort is being made to have the State legislatures give early consideration, and this has been reasonably assured.

Furthermore, the expenditures under this appropriation are not for reimbursement for loss of crops or for compensation for the usual farm operations. It is proposed to meet only required extra labor in connection with the extensive and herculean clean-up task proposed and which must be uniformly adopted and practiced to secure effective control.

In brief, intensive investigation into every phase of the life of the corn borer must be carried on to secure more adequate and practical artificial and natural controls, especially controls which can be effectively adopted by individual farmers. In the meantime every effort must be made to check the spread and reduce the infestation in the present infested territory. The present method is of value only so far as complete clean-up is obtainable. The present bill calls for financial support and needed State legislation which will permit such clean-up and offers the only solution to a problem which, as stated before, if not controlled now, may, and undoubtedly will, jeopardize the wealth and prosperity of the entire Nation. [Applause.]

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, as the gentleman from Indiana [Mr. PURNELL] has said this corn borer is the worst pest of any animal life in America, because of the fact, as he said, it will not only ruin corn, but it will ruin cotton and any other kinds of vegetation. While in this country it prefers corn, it will attack any kind of vegetation. In Europe before it came over here the hearings show that it infested millet. Now, it came over here in 1910 or 1911 in a shipment of broomcorn from Europe, and they have traced it back to its original starting in Massachusetts and in Buffalo and Ontario. It has gradually been coming down to the Corn Belt of the United States, and as the gentleman from Indiana said, it has reached Indiana, Michigan, Ohio, and northern New York. It is in Illinois and gradually coming on down the valley.

The Agricultural Department claims that there is no way of entirely eradicating the evil; but if they have the power granted under this bill, they can make a clean-up as far as corn is concerned.

For instance, take a cornfield of probably 500 acres in the Corn Belt. That field may be infested merely to the extent of a few stalks in the beginning. It may not hurt the rest of the corn at all. After that corn is gathered and is shucked, it is the purpose of the Agricultural Department, in cooperation with the States, to take those corn cobs and cornstalks and burn them; and that is what they mean by the clean-up; and that is about the only way to get rid of the pest. The hearings were a revelation to me so far as the destructive features of the borer are concerned. Whenever it can not survive on corn it will take any other product, any other kind of crop; and it does not make any difference; but, in view of the fact that it bores into the cornstalk, there is

no way of treating it from the outside. The only way is to destroy it, and this gives the Secretary of Agriculture the power to do that. If this is not soon stopped in some way, in my judgment it will be only a short time before not only the Corn Belt of the country will be absolutely ruined, but when it is ruined it will take other crops as well. I do not know of a more important bill than this, and the reason that it is brought up to-day is because the Secretary of Agriculture says that unless they can start this campaign for the eradication of the corn borer by February 1 it will be of no effect. The various legislatures of the States where this corn borer is found will have to pass legislation to cooperate with the Federal Government under the provisions of this bill. That will have to be done by the legislatures in time, because all of the legislatures that are meeting meet usually on the 1st of January, and most of them adjourn in 60 days. This will have to become a law by February 1, so that these legislatures may have time within which to pass the enabling legislation to cooperate with the Secretary of Agriculture.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. JONES. In view of the testimony and the statement made here, it seems to me that this is essentially a national problem, because the corn borer comes from outside. It is like an invading army. It becomes a national problem because it comes from outside and is likely to go over the different States and infest various agricultural products.

Mr. KINCHELOE. Absolutely. I do not think it is any more a corn proposition that it is a cotton or any other crop proposition, except that it has invaded the corn sections, and they go to that plant first; but the hearings show that these corn borers can be blown in the wind for miles from one State to another.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. COLE. I think it might be well for the gentleman to place in the RECORD something about the warfare on this pest in Europe.

Mr. KINCHELOE. I have not heard of any warfare in Europe. In Ontario they have this year passed this clean-up proposition, but they have not had time yet to put it into effect.

Mr. COLE. Is it true that they have brought to this country some parasites that feed on the borer?

Mr. KINCHELOE. I do not know how they treat it.

Mr. PURNELL. Mr. Chairman, if the gentleman will permit, that is true. The experiment stations have developed a parasite. I do not know whether it was developed in this country or brought from Europe. They have released the parasite in large numbers. The parasite attacks the corn borer. That is one of the methods of eradication that the Department of Agriculture is undertaking. They seek to counteract the corn borer with this parasite. He has a long stinger and goes up and down the cornstalk and lays his eggs in the borer, and that is his one job in life, and he is through.

Mr. KINCHELOE. The clean-up proposition is one of the most effective, because you can do it without destroying the crop after the corn is shelled. They can destroy the cobs and the stalks by fire.

Mr. BLANTON. The warfare which they carry on in Europe is of a different kind.

Mr. COLE. My understanding is that in Europe this pest has been attacked by parasites, other insects. We brought over the corn borer, but we did not bring over the parasite that feeds upon it.

Mr. KINCHELOE. It is not as big a proposition over there because it affects millet there, and they do not grow a great deal of corn in Europe. I reserve the remainder of my time.

Mr. PURNELL. Mr. Chairman, I yield five minutes to my colleague on the committee, the gentleman from Illinois [Mr. ADKINS].

Mr. ADKINS. Mr. Chairman, in 1919 the corn borer was working in New York and Massachusetts as well as in Canada. I was in the field at that time and I saw the devastation wrought by it. They started this clean-up that is talked of at that time in March and April in a very restricted area in New York and Massachusetts. Massachusetts that year expended \$75,000 and New York \$50,000. They had 1,200 men at work in that limited area in March and April, and still with the war they waged on the thing and the help that the Federal Government gave them at that time, with the limited amount of money they had they were not able to confine it. This is a tremendous, big job. After it gets once started it is too large a job for the farmer to undertake to control it. After it has been placed under some degree of control I do not think it will be such a hard matter to keep down the ravages of it, so that it will affect not more than 10 or 12 per cent of the crop.

It will be impossible, of course, to eradicate it entirely, because for every one of these worms that lives through the winter in a cornstalk there comes out a moth the next spring, and that moth will proceed to lay from 700 to 1,200 eggs, the scientists tell us, and produce that many corn borers in a year.

Now, in damp climates, along the lakes and places like that, the mortality of the borers that hatch out is not so great as it is out where it is dry. If it should happen in the latter part of June or July that the weather should be hot and dry a large number of borers hatch out and die, but if the atmosphere is damp and the weather is a little damp a very much larger per cent of them live. I presume they must have called it "the millet borer" in the Old World, but when it came over here it was found that it preferred corn. That was the one vegetable that it preferred above others, and therefore they called it "the corn borer." Professor Flint, in a speech he made the other day, said there were 280 vegetables that they worked upon. If we should stop growing corn in all the corn-boring areas where the borer is now, the borer would go on and work on something else that he did not like as well as he likes corn now and continue to be a menace to agriculture.

After a campaign such as the campaign we put on when we eradicated the foot-and-mouth disease in this country, it will be placed in such a position that very little expense each year will be necessary, and the destructiveness of it can be curtailed very materially.

Mr. ROMJUE. Mr. Chairman, will the gentleman yield?

Mr. ADKINS. Yes.

Mr. ROMJUE. At about what stage of the development does this corn borer begin work upon the corn?

Mr. ADKINS. In the latter part of June or fore part of July, so the authorities say. The little one hatches out and goes into the stalk, either at the tassel or at the ear, or where the leaves join the stalk, and remains there until the next season, when it comes out equipped with wings ready to fly around and lay its eggs.

Mr. ROMJUE. That is about the time we lay by corn?

Mr. ADKINS. Yes; just about the time we lay by corn.

Mr. ROMJUE. Now, when do they first inject themselves into the corn?

Mr. ADKINS. As soon as this egg hatches the borer goes right down into the stalk or ear and goes to work.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ADKINS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KINCHELOE. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. LANKFORD].

The CHAIRMAN. The gentleman from Georgia is recognized for five minutes.

Mr. LANKFORD. Mr. Chairman and gentlemen of the committee, I am heartily in favor of this bill and I want to see it passed. I sincerely hope that by this means we may be able to eradicate this pest.

I ask unanimous consent to extend my remarks in the Record on this bill and on the subject of farm-relief legislation, and to be permitted to print in connection with my statement a letter written by a leading citizen of my district to the Savannah News and carried by that paper, and also an item recently carried in the Waycross Journal-Herald, containing a letter from the same party on the same subject.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Chairman and gentlemen of the House, the bill to exterminate the corn borer has my hearty approval. I certainly wish we could do away not only with this pest, but also the boll weevil and all others which infest our farms and work havoc to the crops.

I wish there was some way also of exterminating the pest in human form that work havoc to the products of the farm after production and while they are being marketed. There is the rub. There is where the great loss takes place.

In my effort to secure marketing legislation for the farmer I am urging the passage of my bill to provide a reasonable minimum price for cotton. This bill, to my mind, would solve permanently and correctly the cotton problem. I have so much faith in it until I am talking it, writing about it, speaking on it, and even getting up arguments wherever I can raise a controversy on the matter, all for the purpose of getting the proposition before the people of the Nation. The more it is talked and discussed the sooner will it be established as

the proper solution of the farm problem. If the plan is a failure, I want some one to argue it out of existence. The way to destroy the Federal cotton corporation bill is to offer something better. I much prefer something better, if it can be produced.

The old stock arguments against farm relief are worn threadbare and are admissions of those offering them that they oppose farm relief. These moss-covered nostrums of "let the farmer diversify," "let the law of supply and demand prevail," "let the farmer solve his own problems," "let him live at home," and so on and so on, contain only enough truth to be a delusion and a snare and sugar-coat the poison they are oftentimes intended to conceal.

The Savannah Morning News, on January 4 last, in an editorial said: "In order to keep the record straight, there follows Representative LANKFORD's own explanation of his cotton price fixing bill"; then, quoting practically all that was said by me on the Federal cotton corporation bill at the time of its introduction and later printed in the CONGRESSIONAL RECORD, further remarked concerning the matter quoted from my explanation of the bill as follows:

The meat of the coconut is found in the statement: "The corporation must hold the production down to what the world needs." In other words, the old law of supply and demand has to be recognized. And how is the corporation to keep the supply down? Remember that ordinarily about three-eighths of the world's cotton is produced outside the United States. How is Congressman LANKFORD or his cotton price fixing corporation going to keep production down in Egypt and the Sudan, in India, China, Mexico, Korea, and what not? There is the trouble.

And even if he could control production outside the United States, how will he control it inside the United States?

As a basic principle, before his plan can be successful, Mr. LANKFORD lays this down, and it should not be forgotten in all discussions of his bill:

"The corporation must hold the production down to what the world needs."

And that's impossible.

The Morning News believes the recent trip of a group of men into the South under Government auspices in the interest of diversified agriculture is of far more importance to the southern farmer than Mr. LANKFORD's idea. Diversification is possible. Realization of Mr. LANKFORD's idea is not.

This is the third time the editor has made substantially the same argument as above urged. His argument was faulty when first made and gains no force by reason of this third insistence.

I still insist, however, that production abroad does not control the price of cotton, and will not for a long time, if ever; that the Federal cotton corporation, if created, would insure the farmer a fair minimum price for his cotton, and prevent the recurrence of such low prices as now prevail; that the Government would not lose by the process; and that no undue hardships would be worked on anyone.

In another editorial on the same date of January 4, 1927, the editor says I class my bill "alongside the Magna Charta, the Declaration of Independence, the Constitution of the United States, and the Bible." Well, the editor has come to believe I have greater faith in my bill than I happen to possess. A law that would emancipate the farmer from the slavery that he has suffered through the ages would be entitled to a place among the greatest documents of all time, and I am sure would be in accordance with the teaching of Holy Writ. My bill, though, is only an humble suggestion of a plan which I hope is worthy of consideration. I am pleading with the editor, the country, and Congress to help develop a farm relief bill not only in name but in fact. One person alone can not do it. I hope all of us can. I have besought the editor to give us in detail his ideas of a farm-relief measure, and I am sure the people of the Nation thank him for his wonderful advice to "let them diversify." Why not advise the manufacturers, the bankers, the railroad owners, and others to diversify rather than have beneficial laws enacted in their behalf? I believe in diversification as a part and parcel of a plan to help the farmer live and sell his products at a reasonable price. I do not believe in advising him to diversify as an excuse for giving him no legislative aid to protect him from those who would destroy him.

In this connection I wish to quote a letter written by Mr. A. P. Brantley, of Blackshear, Ga., to the editor and recently carried in the Savannah Morning News, as follows:

I have a very high opinion of the honesty and good intentions of the Savannah Morning News, and I fancy that I am one of its oldest readers.

I think, however, that the editor who attempts to write about cotton lacks experience in farming generally and cotton growing in

particular and that he is entirely theoretical. I recommend that he buy a farm and run it five or six years. I believe at the expiration of this time he would be wiser but a very much sadder man. I am sure that at the end of this period he would know a great deal more about farming in general and about cotton growing at a profit in particular than he at present knows.

No matter whether cotton is grown as a surplus crop or in any other way it is selling under the cost of production; and in this connection it is true just as in any other business that anything sold at cost will result in disaster to the seller. The farmer, just as much as any other individual in business, must get a profit if he is to live and pay his debts.

Diversification in farming is absolutely essential to success, but even though a farmer "lives at home" he must have money crops that he can sell at a profit and in substantial quantities if he is to succeed.

The chief thought behind diversification is that the farmer should raise all of his home supplies. Not anyone who knows anything about farming expects these excess home supplies (if any) to bring a profitable price even if they can be sold at the cost of production.

Take corn for instance, and there is an excess of corn in this section of the State, the best market for corn is in the neighborhood of Atlanta, and the cost of transporting corn from Blackshear to Atlanta points is almost as great as the cost of transporting corn from the Corn Belts of the West to Atlanta.

The railroads have not waked up to the fact that there are certain crops upon which lower freight rates must be had if these crops are to be profitable to the farmer.

There is always, of course, a chance that some special crop in some seasons can be disposed of at a price that will net the farmer a little above the cost of production. I am thinking now of watermelons, big-stem Jersey potatoes, and a few other similar crops, but these crops are easily overdone, but it is the best policy for the farmer to take a shot at several money crops, so that if two or three of them fail at least one may pay him a profit and save the day for him.

It has often seemed to me that some people who do not know the farmer intimately regard him as a sort of serf, peon, or something of that sort; as some one different from themselves; some one who does not need much and deserves but little of anything. Such people are mistaken. The average farmer is just like the average people anywhere. He is not content with barely enough to eat and scarcely anything to wear. Except for the fact that he may raise the greater part of his food, his needs are precisely the same as the needs of other people. He probably wants an automobile, wishes to give his children a good education; and his children want to wear good clothes; and of course the farmer has to pay doctors, dentists, and other bills just like anyone else. None of these things can be had by a farmer who simply "lives at home" and who has but little to sell for cash.

The farmer who is to be worth anything to his community or the country at large must "live at home," but in addition he must have an abundance of crops that he can convert into actual cash, and cotton is one of the best money crops he can grow and will always pay him if he and his brother farmers do not overplant.

The rub is how to regulate his production in his own interest and at the same time not be unkind of the needs of the world. Everything has been done for the farmer but the one thing which will guarantee him prosperity.

Do not worry about cotton going too high and encouraging production throughout the world. There is no danger of this ever happening. This has been the cry over a long period of years of those who would like to see large crops and low prices for cotton.

A. P. BRANTLEY,
Blackshear, Ga.

Again the editor says:

And Mr. LANKFORD has a decided advantage over both of us. His congressional postal frank lets him send his "extension of remarks" from the CONGRESSIONAL RECORD to farmers in his district for nothing, and it would cost a lot for the farmers to send all that poundage back to him.

As ever, the editor is wrong again. If he will have his "extension of remarks" put in the CONGRESSIONAL RECORD, they can be mailed free the same as mine. He says it would cost a lot for the farmers to mail my remarks back to me. Let us see how nearly right he is in this respect. The farmer could secure from his Representative in Congress a few franks, and could, if he had them, return a carload of remarks or speeches absolutely free. Another privilege every man, woman, and child in the United States has is the right to send his Representatives in Congress an argument or plea in behalf of the poor or oppressed, or in behalf of anyone else, and through that Representative have that letter or plea inserted in the RECORD and thereby become at once entitled to all the benefits and privileges of free mail service accorded the remarks of a

Congressman, Senator, or the President of the United States. A farmer, at the same cost as a Congressman, can have printed any number of his letters which have been placed in the RECORD, or any other portion of the RECORD, and have not only pounds but tons of it mailed to him free, and can then remail it absolutely free to all quarters of the Nation. This not only can be done but is being done every day by farmers and all other classes of people.

I have no franking privilege as an individual but only as a Representative of the people who elected me. The franking privilege is theirs and only mine to be used as an official in their behalf. I have no right to use it for private or personal mail. What I can do as their agent they can do through me with my official signature.

The franking privilege carries to the people millions of tons of valuable information, and the larger part of the people's business transacted by and with the Government is done under the privilege of the frank. I know that the franking privilege, like all others, is sometimes abused, but through it the people and their representatives can broadcast their protest against oppression and their petition for redress to the uttermost parts of the earth. But regardless of what may be said of the franking privilege, it was here when I came and will be here when I am gone. But, Mr. Editor, the thought comes back again and again that the farmer does not get a square deal. I am still of the opinion that others get more favors from legislation than is accorded the farmer. I also feel that the farmer should get the same rate on his farm products that the editor gets on his "extension of remarks," that eating the products of the farm is as essential as reading the editor's "extensions," and that more people would be benefited by food directly from the producer to the consumer than by reading the daily press.

Mr. Speaker, under leave to extend my remarks I submit the following from the Waycross Journal-Herald, of Waycross, Ga.:

PRODUCTION REGULATION CHAMPIONED BY BRANTLEY—COTTON SITUATION IN SOUTH DEMANDS ATTENTION—SUGAR PLAN CITED—THEODORE H. PRICE OFFERS INTERESTING INFORMATION

Definite recommendations concerning Government regulation of production to stabilize the cotton industry have been made in recent articles carried in the Journal-Herald through interviews with A. P. Brantley, financier and industrial leader, of Blackshear. Mr. Brantley in a letter to the Journal-Herald to-day, says:

EDITOR OF THE JOURNAL-HERALD:

I am inclosing an article by Theodore H. Price, published in Commerce and Finance, December 15, and entitled "Crop limitation in Cuba and elsewhere." I think this article is particularly interesting because of his view, "we think it may be taken for granted that governmental control of agricultural production has come to stay, that it will gradually extend itself, and that the wisest policy will be to try to direct its extension intelligently." I hope you will publish this letter.

This view is something comparatively new. It has not been long since there was a large and influential movement in the United States who thought it was criminal for the farmer to reduce his production, although these same authorities thought that in all other forms of business that production should be adjusted to fit the needs of consumption.

SERIOUS PLIGHT

Recently I read a statement in the Pathfinder that the dogs (and of which there were legion) of Constantinople which for centuries had occupied a privileged position in Constantinople had recently at the hands of the Young Turks been removed to Asia Minor where in a comparatively short time they had eaten each other up and that none now remained.

This reminded me of the plight of the farmers growing our great staple crops.

It is impossible for these farmers to know what acreage should be planted to any given crop or to regulate this acreage among themselves; so that our Government, whether intentionally or not (and probably it does not so intend), have left our farmers pretty much in the same fix that the dogs of Constantinople were in when they were removed to Asia Minor.

A. P. BRANTLEY.

Herewith is printed the article by Theodore H. Price, editor of Commerce and Finance, which, in the opinion of Mr. Brantley, is worthy of the consideration of those persons interested in the solution of over-production.

(By Theodore H. Price)

"In his message to Congress last week the President of the United States urged the cotton farmers of the South to reduce the acreage planted to cotton by 33 per cent, and in the same week the President of the Republic of Cuba issued an edict limiting next years Cuban sugar crop to 4,500,000 tons. In each case there is a surplus that has carried the price below the cost of production," writes Theodore H. Price, in Commerce and Finance.

"A surplus of rubber led Great Britain to limit the export of that commodity some time since. More recently, and for the same reason, Australia has limited the production of wool, Brazil has restricted the export of coffee, and Egypt has curtailed the area that may be planted to cotton by 33 per cent of last year's acreage. In addition, the tea growers of British India have agreed to leave the unpicked tea in the fields and the price, which was unprofitably low, has advanced sharply.

PROTESTS

"In every instance the action taken has evoked protest from those who represented consumers of the commodity affected, as well as from some academic economists who depreciate what they call interference with the law of supply and demand.

"But cooperative or governmental control of agricultural production has become so general and so world-wide that it has passed from the realm of theory and has become a condition that is likely to be met whenever the supply exceeds the demand at what the producers regard as a satisfactory price. We say a satisfactory rather than a profitable price because the appetite for high prices grows by what it feeds upon, and a price yielding only a minimum profit is no longer regarded as satisfactory.

ANALYSIS

"The Wall Street Journal of May 25, 1926, published an unofficial analysis which purported to show that the net earnings of the United States Steel Corporation for the year 1925 were equal to \$12.49 a ton on its sales of steel, for which an average price of \$69.93 a ton was obtained. This profit is not regarded as excessive, but if those who raise sugar or cotton could be reasonably sure of a profit of \$12.50 on a ton of sugar or a bale of cotton, they would consider themselves fortunate, and there would be no agricultural problem.

"Therefore, it is not surprising that the farmer should take a leaf from the book of the industrialist and demand that his Government should do something for the protection of the man who tills the soil and is compelled to face the hazards of the weather and the markets for a period of nearly 12 months or more and is thereby driven into a speculation upon which no manufacturer would embark.

CONTROL OF SUPPLY

"And since the farmer is finding out that the profits of industry in this and other countries are chiefly due to the control of supply through either a protective tariff or combination, it is not surprising that he should insist that one of these methods should be used in his behalf.

"Both presuppose a limitation of the supply—one by the erection of a tariff wall, the other by an agreement between producers through an organization of which the German cartel is a type.

"But voluntary agreements to curtail the output are difficult to obtain, and since a tariff wall does not protect the man who produces a commodity of which his own country has an exportable surplus it is not surprising that governmental control of production should be favored in such countries. They include, among others, the United States, from which a preponderant proportion of its cotton production is exported; the East Indies, where nearly all the world's rubber is produced; Brazil, which has almost a monopoly of coffee growing; Australia, which exports most of its large wool clip; and Cuba, from which nearly all of its sugar production is shipped somewhere else.

SINGLE ARGUMENT

"To the people of these countries the arithmetical argument in favor of government curtailment is unanswerably simple. Even a schoolboy can figure out that 18,000,000 bales of cotton, at 12 cents a pound, will yield but \$1,080,000,000, whereas 12,000,000 bales at 20 cents will bring \$1,200,000,000, or that 5,500,000 "long" tons of sugar at 2 cents a pound will sell for but \$246,400,000, whereas 4,500,000 tons at 3 cents will be worth \$302,400,000, and the prospect of more money with less labor is irresistible.

"Therefore we think it may be taken for granted that governmental control of agricultural production has come to stay, that it will gradually extend itself, and that the wisest policy will be to try to direct its extension intelligently."

Mr. LANKFORD. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Georgia yields back three minutes.

Mr. KINCHELOE. Mr. Chairman, I yield three minutes to the gentleman from Georgia [Mr. UPSHAW].

The CHAIRMAN. The gentleman from Georgia is recognized for three minutes.

Mr. UPSHAW. Mr. Chairman, I find peculiar pleasure in supporting a bill of this kind, from two standpoints; not only because of the wisdom and sanity of it, but because of the fellowship that it gives us an opportunity to show for the agricultural masses of all sections.

Legislation of this kind comes under that provision of the Constitution in the preamble which declares that the Constitu-

tion is ordained among other things to provide for the general welfare. There are some splendid and conservative gentlemen who are afraid of Federal aid and Federal activities about almost anything and everything, but here is an illustration of how the Federal Government, dealing with a national evil, must come in and perform a sane and fundamental function.

I do not mean to unduly "heap coals of fire" on anybody's head, but I do remember that day six years ago when we Members from the cotton States had a hard time on this floor in saving an appropriation of only \$25,000 to fight the boll weevil; but just as soon as our friends over on the Republican side found out that we really needed it, I saw a whole bunch from Ohio come in together and say, "We have come to your rescue."

The proposed \$10,000,000 is a large amount, some people may say; but I am glad, as a Southern man, from the standpoint of national comradeship and loyalty, to vote for this protective measure and thus see all Members have an opportunity to shake hands with each other from every section, making practical brothers of those who till the soil. Some of these days, it may be, that the country will wake up to the fact that the National Government owes every possible assistance to those engaged in the basic industry of agriculture. [Applause.]

Mr. Chairman, I yield back any remainder of my time.

The CHAIRMAN. The gentleman's time has expired.

Mr. PURNELL. Mr. Chairman, I yield to my colleague from Indiana [Mr. VESTAL].

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. VESTAL. Mr. Chairman and gentlemen of the committee, I do not care to take any time in discussing this measure, because I feel that everyone is in favor of it and will be ready to support it when the time comes to vote. But I do want to say that we feel out in the Central West that this is a great menace and that we need this appropriation. The farmers in Indiana have recognized what this means, and, as I said a moment ago in asking a question of my colleague from Indiana [Mr. PURNELL], they are already going ahead now, attempting to combat this corn borer as best they can, and we certainly need this appropriation.

The Clerk read the bill for amendment.

Mr. PURNELL. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON, Speaker pro tempore, having assumed the chair, Mr. RAMSEYER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 15649) to provide for the eradication or control of the European corn borer had directed him to report the same back to the House with the recommendation that the bill do pass.

The SPEAKER pro tempore. The previous question is ordered by the rule. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PURNELL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

STREAM POLLUTION IN THE UNITED STATES

Mr. BEERS. Mr. Speaker, I offer a privileged resolution from the Committee on Printing.

The SPEAKER pro tempore. The gentleman from Pennsylvania offers a privileged resolution from the Committee on Printing, which the Clerk will report.

The Clerk read as follows:

House Resolution 336

Resolved, That the monograph prepared by the legislative reference service of the Library of Congress entitled "Stream Pollution in the United States" be printed as a House document.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

TWENTY-EIGHTH NATIONAL ENCAMPMENT OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES

Mr. BEERS. Mr. Speaker, I offer another privileged resolution from the Committee on Printing.

The SPEAKER pro tempore. The gentleman from Pennsylvania offers another privileged resolution from the Committee on Printing, which the Clerk will report.

The Clerk read as follows:

House Resolution 337

Resolved, That there shall be printed as a House document the proceedings of the Twenty-eighth National Encampment of the Veterans of Foreign Wars of the United States for the year 1927, with accompanying illustrations.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE PRESIDENT—SECOND PAN AMERICAN CONFERENCE ON HIGHWAYS (H. DOC. NO. 631)

The SPEAKER pro tempore laid before the House the following message from the President of the United States:

To the Congress of the United States:

I recommend to the favorable consideration of the Congress the inclosed report from the Secretary of State, with accompanying papers, to the end that legislation may be enacted authorizing an appropriation of \$15,000 to enable the United States to participate in the Second Pan American Conference on Highways to be held at Rio de Janeiro, in accordance with the recommendation of the Secretary of Agriculture and the Acting Secretary of Commerce joined in by the Secretary of State.

CALVIN COOLIDGE.

THE WHITE HOUSE,

Washington, January 8, 1927.

The SPEAKER pro tempore. The message and accompanying papers are ordered printed and referred to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. RAMSEYER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 32 minutes p. m.) the House adjourned until Monday, January 10, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, January 10, 1927, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

To stimulate commerce in agricultural products and provisions with foreign countries, to encourage agriculture in the United States (H. R. 7392).

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

State, Justice, Commerce, and Labor Departments and the first deficiency appropriation bills.

COMMITTEE ON THE CENSUS

(10.30 a. m.)

To consider reapportionment of Members of the House of Representatives among the several States.

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To amend section 40 of the act approved September 2, 1901, relative to rations (H. R. 16077).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MACGREGOR: Committee on Accounts. H. Res. 339. A resolution providing a clerk to the official reporters of debates and abolishing the office of assistant reporter of debates; (Rept. No. 1704). Ordered to be printed.

Mr. WASON: Committee on the Disposition of Useless Executive Papers. Report of the Committee on the Disposition of Useless Executive Papers on the disposition of useless executive papers in the Post Office Department; (Rept. No. 1705). Ordered to be printed.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 15340. A bill to amend section 5 of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1925; with amendment (Rept. No. 1706). Referred to the Committee of the Whole House on the state of the Union.

Mr. LINTHICUM: Committee on Foreign Affairs. S. 1730. An act to authorize the payment of indemnity to the Government of Great Britain on account of losses sustained by the

owners of the British steamship *Mavisbrook* as a result of collision between it and the U. S. transport *Carolinian*; without amendment (Rept. No. 1707). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BULWINKLE: Committee on Claims. H. R. 13971. A bill for the relief of Ruth J. Walling; with amendment (Rept. No. 1708). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII the Committee on Claims was discharged from the consideration of the bill (H. R. 15756) for the relief of M. F. Powers, and the same was referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MONTGOMERY: A bill (H. R. 16073) providing for repairs, improvements, and new buildings at the Seneca Indian School at Wyandotte, Okla.; to the Committee on Indian Affairs.

Also, a bill (H. R. 16074) to amend section 2 of the act of Congress of March 3, 1921 (41 Stat. L. p. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act for the division of the lands and funds of the Osage Indians in Oklahoma,' and for other purposes"; to the Committee on Indian Affairs.

By Mr. SWANK: A bill (H. R. 16075) to amend section 205 of the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. HARE: A bill (H. R. 16076) to provide for holiday service on rural mail routes; to the Committee on the Post Office and Post Roads.

By Mr. JAMES: A bill (H. R. 16077) to amend section 40 of the act approved February 2, 1901 (31 Stat. 758), relative to rations; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 16078) to authorize an appropriation to enable the Director of the United States Veterans' Bureau to provide additional hospital facilities at the United States Veterans' Bureau Hospital No. 90 at Muskogee, Okla.; to the Committee on World War Veterans' Legislation.

By Mr. BLOOM: Resolution (H. Res. 367) to provide for the printing of additional copies of reports of the Committee on the Post Office and Post Roads; to the Committee on Printing.

By Mr. HUDDLESTON: Resolution (H. Res. 368) expressing the conclusions of the House of Representatives upon the policy of the United States Government with relation to Mexico and Nicaragua; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolution were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 16079) granting a pension to Louise F. Carter; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 16080) for the relief of Calvin H. Burkhead; to the Committee on Military Affairs.

By Mr. BEERS: A bill (H. R. 16081) granting a pension to Susan C. Fleck; to the Committee on Invalid Pensions.

By Mr. BLOOM: A bill (H. R. 16082) for the adjudication and determination of the claims arising under the extension by the Commissioner of Patents of the patent granted to Frederick G. Ransford and Peter Low as assignees of Marcus P. Norton, No. 25036, August 9, 1859; to the Committee on the Post Office and Post Roads.

By Mr. DALLINGER: A bill (H. R. 16083) for the relief of Mary Martin Harrison, mother of the late Henry Hartwell Harrison, ensign, United States Navy, aviation service; to the Committee on Claims.

By Mr. DRANE: A bill (H. R. 16084) authorizing a survey by the Secretary of the Interior of the Everglades of Florida to obtain information regarding the reclamation thereof; to the Committee on Irrigation and Reclamation.

By Mr. FLETCHER: A bill (H. R. 16085) granting a pension to Vina Bertch; to the Committee on Invalid Pensions.

By Mr. HALL of North Dakota: A bill (H. R. 16086) granting a pension to George C. Brooks; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 16087) for the relief of William A. Light; to the Committee on Claims.

By Mr. HILL of Alabama: A bill (H. R. 16088) for the relief of George M. Browder and F. N. Browder; to the Committee on Military Affairs.

By Mr. HILL of Maryland: A bill (H. R. 16089) granting an increase of pension to Theresa Benezet; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 16090) granting an increase of pension to Catharine H. Mills; to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 16091) to correct the military record of Charles B. Holmes; to the Committee on Military Affairs.

By Mr. McCLINTIC: A bill (H. R. 16092) granting a pension to C. S. Kerns; to the Committee on Invalid Pensions.

By Mr. MONTGOMERY: A bill (H. R. 16093) for the relief of William T. De Weese; to the Committee on the Civil Service.

Also, a bill (H. R. 16094) for the relief of Capt. William P. T. Hill, United States Marine Corps; to the Committee on Claims.

Also, a bill (H. R. 16095) for the relief of the Fairfax National Bank, of Fairfax, Okla.; to the Committee on Banking and Currency.

Also, a bill (H. R. 16096) for the relief of James R. Baptie; to the Committee on Naval Affairs.

Also, a bill (H. R. 16097) granting an increase of pension to Lydia C. Ramsey; to the Committee on Invalid Pensions.

By Mr. QUIN: A bill (H. R. 16098) for the relief of G. R. Robertson; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 16099) for the relief of Harry E. Craven; to the Committee on Claims.

By Mr. REED of New York: A bill (H. R. 16100) granting an increase of pension to Mary A. Ruch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16101) granting an increase of pension to Mary J. Turner; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 16102) for the relief of Robert F. Neeley and Franklin E. Neeley; to the Committee on Claims.

By Mr. THATCHER: A bill (H. R. 16103) authorizing the acceptance from the Republic of Chile of the order of Al Mérito, conferred on certain officers of the United States Navy; to the Committee on Foreign Affairs.

By Mr. CHRISTOPHERSON: Resolution (H. J. Res 326) for the appointment of Jay B. Sessions, of South Dakota, as member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4514. By Mr. ADKINS: Petition of the voters of Decatur, Macon County, Ill., urging immediate steps be taken to bring to a vote the Civil War pension bill now pending before Congress; to the Committee on Pensions.

4515. By Mr. ALDRICH: Petition of 89 citizens of Rhode Island, urging passage of bill granting increase of pensions to widows of Civil War veterans; to the Committee on Invalid Pensions.

4516. By Mr. ANDREW: Petition of mayor and municipal council of Gloucester, Mass., urging immediate passage of legislation for the control of radio communication; to the Committee on the Merchant Marine and Fisheries.

4517. By Mr. AYRES: Petitions of citizens of McPherson and Newton, Kans., asking for early consideration of legislation in favor of Civil War veterans and widows; to the Committee on Invalid Pensions.

4518. By Mr. BACHMANN: Petition of Mrs. I. E. Bales and other citizens of Barrackville, Marion County, W. Va., urging immediate action on the Civil War pension bill; to the Committee on Invalid Pensions.

4519. By Mr. BLAND: Petition of 90 voters of Birdsnest, Va., urging that immediate steps be taken to bring to a vote the Civil War pension bill, and urging that support on the part of their Senators and Representatives in Congress be accorded this legislation; to the Committee on Invalid Pensions.

4520. Also, petition of seven voters of Bayview, Va., urging that immediate steps be taken to bring to a vote the Civil War pension bill, and urging that support on the part of their Senators and Representatives in Congress be accorded this legislation; to the Committee on Invalid Pensions.

4521. Also, petition of 47 voters of the United States of America, urging that immediate steps be taken to bring to a

vote a Civil War pension bill carrying the rates proposed by the National Tribune, Washington, D. C., and urging that support on the part of their Senators and Representatives in Congress be accorded this legislation; to the Committee on Invalid Pensions.

4522. By Mr. CANFIELD: Petition of Mr. Charles A. Bowman and 118 other residents of Madison, Ind.; to the Committee on Invalid Pensions.

4523. By Mr. CANNON: Petition signed by Mr. Robert W. Ely and other residents of St. Charles, Mo., favoring the passage of House bill 10311; to the Committee on the District of Columbia.

4524. By Mr. CROWTHER: Petition of citizens of Schenectady, N. Y.; to the Committee on Invalid Pensions.

4525. Also, petition of citizens of Johnstown, N. Y.; to the Committee on Invalid Pensions.

4526. By Mr. DICKINSON of Missouri: Four petitions, from Warrensburg, Lockwood, and El Dorado Springs, Mo., and from the sixth district of Missouri, for the relief of Civil War veterans and widows by bringing to a vote the Civil War pension bill; to the Committee on Invalid Pensions.

4527. By Mr. DOUGLASS: Petition of John Stewart, radio editor of the Boston Post, a newspaper published at Boston, Mass., and having a very large and widely scattered circulation throughout the New England States, urging that Congress take action during the present session to enact radio-control legislation that will remedy the chaos and confusion now seriously impairing the instructive and entertainment value of the radio; to the Committee on the Merchant Marine and Fisheries.

4528. By Mr. EATON: Petition of Mrs. Mary Goldy, 831 South Broad Street, Trenton, N. J., and 39 other citizens of Trenton, N. J., urging immediate action and support of Civil War pension bill granting relief to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4529. By Mr. EVANS: Petition of citizens of Missoula, Mont., urging the passage of legislation increasing the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4530. Also, petition of citizens of Hamilton, Mont., urging the passage of legislation increasing the pensions of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4531. By Mr. GALLIVAN: Petition of John Stewart, the Boston Post, Boston, Mass., urging prompt enactment of proper legislation to clear up the situation regarding radio broadcasting; to the Committee on the Merchant Marine and Fisheries.

4532. By Mr. GIBSON: Petition of citizens of Irasburg, Vt., favoring the passage of pension legislation for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4533. Also, petition by citizens of Albany, Vt., favoring the passage of pension legislation for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

4534. By Mr. HASTINGS: Resolution adopted by regular meeting of James F. Smith Post 15, of the American Legion, held at Muskogee, Okla., regarding the refusal of the banks to accept adjusted-compensation certificates; to the Committee on World War Veterans' Legislation.

4535. By Mr. HOOPER: Petition of C. W. Van Tassel and 23 other residents of Kalamazoo, Mich., in favor of pending legislation to increase the present rates of pension for Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4536. Also, petition of Queen City Rifle Club, of Battle Creek, Mich., requesting that an appropriation in aid of the National Rifle Association be added to the Army appropriation bill; to the Committee on Appropriations.

4537. Also, petition of Louis V. Harvey and 31 other residents of North Adams, Mich., in favor of pending legislation to increase the present rates of pension for Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4538. Also, petition of Mrs. Harriett Matteson and 15 other residents of Alamo, Mich., in favor of pending legislation to increase the present rates of pension for Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4539. By Mr. IRWIN: Petition of C. B. Peach et al., of Lebanon, Ill., urging the passage of pension legislation for the relief of veterans of the Civil War and their widows at the present session of Congress; to the Committee on Invalid Pensions.

4540. Also, petition of William Tate et al., of East St. Louis, Ill., urging the passage of pension legislation for the relief of veterans of the Civil War and their widows at the present session of Congress; to the Committee on Invalid Pensions.

4541. By Mr. KIESS: Petition of citizens of Jersey Shore, Pa., favoring the passage of bill to increase the pension of widows of Civil War soldiers; to the Committee on Invalid Pensions.

4542. By Mr. LETTS: Petition of sundry citizens of Clinton, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4543. Also, petition of sundry citizens of Davenport, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4544. Also, petition of sundry citizens of Jackson County, Iowa, urging the passage of the Civil War pension bill; to the Committee on Invalid Pensions.

4545. By Mr. McREYNOLDS: Petitions signed by the citizens of Hamilton, Warren, McMinn, and Bradley Counties, Tenn., containing 532 names, urging immediate action and support of the Civil War pension bill granting relief to the needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4546. By Mr. MAJOR: Petition of citizens of Benton County, Mo., urging the passage of Civil War pension bill, for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4547. Also, petition of citizens of Glasgow, Mo., urging the passage of the Civil War pension bill for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4548. Also, petition of citizens of Fair Grove, Mo., urging the passage of the Civil War pension bill for the relief of needy and suffering veterans and widows; to the Committee on Invalid Pensions.

4549. By Mr. O'CONNELL of New York: Petition of Mark J. Hayes, of Brooklyn, N. Y., opposing the passage of the Parker bill (H. R. 14684); to the Committee on Interstate and Foreign Commerce.

4550. Also, petition of the Dr. Millard P. Wilkins Chapter, the Disabled American Veterans of the World War, Kerr County, Tex., opposing paragraph 7, section 202, of the Johnson bill; to the Committee on World War Veterans' Legislation.

4551. Also, petition of the American Irish Historical Society of New York City, protesting severally against fixing immigration quotas in accordance with the "national origins" tabulations submitted to Congress during the debates on the immigration act of 1924; to the Committee on Immigration and Naturalization.

4552. By Mr. OLDFIELD: Petition of John S. and Mary E. Stipp and others, of Hazen, Ark., urging the enactment of widows' pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4553. Also, petition of George P. Ketcham, H. M. Stevens, and other citizens of White County, Ark., urging the enactment of the widow's pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4554. By Mr. RAMSEYER: Petition of residents of Keswick, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4555. Also, petition of residents of Delta, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4556. Also, petition of Allie Sumner, a resident of Eldon, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4557. Also, petition of residents of Keota, Iowa, urging that immediate steps be taken to bring to a vote the Civil War widows increase of pension bill (H. R. 13450); to the Committee on Invalid Pensions.

4558. By Mr. REED of New York: Petition of citizens of Limestone, N. Y., in behalf of a Civil War pension bill; to the Committee on Pensions.

4559. By Mr. ROBINSON of Iowa: Petition of citizens of Dubuque, Iowa, requesting a vote on the Civil War pension bill; to the Committee on Invalid Pensions.

4560. By Mr. ROMJUE: Petition of Simon McQuiston and others, asking for increased pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

4561. By Mr. ROWBOTTOM: Petition of George J. Ziegler and others, of Evansville, Ind., and also Mrs. A. H. Albrahausen and others, of Evansville, Ind., that the Civil War pension bill be enacted into law at this session of Congress; to the Committee on Invalid Pensions.

4562. By Mr. SNELL: Petition of residents of Heuvelton and Rouses Point, N. Y., urging immediate action and support of the Civil War pension bill granting relief to needy and suffer-

ing veterans and their widows; to the Committee on Invalid Pensions.

4563. By Mr. SPEAKS: Petition signed by 103 citizens of Franklin County, Ohio, protesting against the compulsory Sunday observance bills; to the Committee on the District of Columbia.

4564. Also, petition signed by 300 citizens of Columbus, Ohio, urging enactment of legislation increasing the pension rates to Civil War veterans, their widows, and dependents; to the Committee on Invalid Pensions.

4565. By Mr. STRONG of Pennsylvania: Petitions of citizens of Indiana and Clarion Counties, Pa., praying for immediate passage of the pending pension bill for the benefit of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4566. By Mr. TEMPLE: Petitions of Jefferson Council, No. 366, Jefferson, Pa., protesting against House bill 15335, introduced by Representative MACGREGOR, and the Wadsworth bill, both amending the immigration law; to the Committee on Immigration and Naturalization.

4567. Also, petitions of a number of residents of Washington, Rogersville, and Richhill Township, Greene County, Pa., in support of legislation which would increase the rate of pensions to veterans of the Civil War and widows of Civil War veterans; to the Committee on Invalid Pensions.

4568. Also, petition of Mizpah Council, No. 361, Junior Order United American Mechanics, Washington, Pa., protesting against the enactment of House bill 15335, or any change in the immigration laws, unless it is to make the laws more stringent; to the Committee on Immigration and Naturalization.

4569. By Mr. THOMPSON: Petitions of 200 citizens of Ma-linta, Ohio City, and Deshler, Ohio, praying for passage of House bill 13450, a bill to increase the pensions of Civil War widows; to the Committee on Invalid Pensions.

4570. By Mr. VAILE: Petition of sundry citizens of Denver, Colo., urging the passage of pension legislation for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4571. By Mr. VINSON of Kentucky: Petition signed by numerous citizens of Green, Elliott County, Ky., urging the passage, before adjournment of Congress, of a bill for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4572. Also, petition signed by numerous residents of Elkfork, Morgan County, Ky., urging prompt and favorable consideration of a bill for the relief of Civil War veterans and their widows; to the Committee on Invalid Pensions.

4573. By Mr. WILLIAMS of Texas: Petition of certain petitioners for the increase of pension for the veterans of the Civil War and their widows; to the Committee on Pensions.

4574. By Mr. ZIHLMAN: Petition of citizens of Cumberland, Md., urging immediate action and support of the Civil War pension increase bill, granting relief to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

4575. Also, petition of citizens of Cumberland, Md., urging immediate action and support of the Civil War pension increase bill, granting relief to needy and suffering veterans and their widows; to the Committee on Invalid Pensions.

SENATE

MONDAY, January 10, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Gracious Father, Thou hast permitted us to see the opening of another week. We thank Thee for Thy mercy, and we would accept from Thee all the guidance of Thy grace, and whatever comes up in the matter of duty do grant unto us such a consciousness of Thy nearness that it will be a high privilege to do Thy will in all lines of responsibility. Hear us; help us; and so guide our thoughts through the day and through the week that they may be for Thy glory. We ask in Jesus' name. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of Saturday last when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the following bills: